THE COLONIAL RECORDS OF THE STATE OF GEORGIA

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VOLUME XIX.

PART I.

STATUTES, COLONIAL AND REVOLUTIONARY,
1768. TO 1773.

COMPILED AND PUBLISHED UNDER AUTHORITY
OF
THE LEGISLATURE

BY

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AMS PRESS
NEW YORK

Reprinted from the edition of 1904–1916, Atlanta
First AMS EDITION published 1970
Manufactured in the United States of America

International Standard Book Number:
Complete Set 0–404–07260–7
Volume 19 Part 1 0–404–07279–8

Library of Congress Number: 70-138087

AMS PRESS INC.
NEW YORK, N.Y. 10003

(State Archives.)

AN ACT

For establishing several Ferries in this Province and for vesting the same in the persons therein mentioned

WHEREAS the establishing of the several ferrys herein after mentioned will be greatly to the advantage and conveniency of Persons travelling through this Province we therefore pray your most Sacred Majesty that it may be Enacted AND BE IT ENACTED by his Excellency James Wright Esquire Captain General and Governor in Chief of the said Province by and with the Advice and Consent of the Honourable Council and Commons house of Assembly in General Assembly met and by the Authority of the same that immediately from and after the passing of this Act a publick Ferry shall be and the same is hereby established from the town of Ebenezer upon Savannah river to the Bluff on the opposite shore, Also Two Ferrys over Briar Creek, one at a place called Mill Town and the other at the upper Publick Road, also a Ferry from the Center of the Town of Augusta upon Savannah River to the Bluff on the opposite shore in the province of South Carolina and also a Ferry over the river Alatamaha at Fort Barrington.

AND BE IT FURTHER ENACTED that the

the said Ferry established at the Town of Ebenezer as aforesaid shall be and the same is hereby vested in Martin Dasher and that the Ferry established at Milltown upon Bryar Creek shall be and the same is hereby vested in the Honourable John Graham Esquire, Thomas Morgan, John Mulryne, and Josiah Tatnall Esquires their and each of their Executors, Administrators, or Assigns And that the Ferry Established on the upper Road over the said Creek shall be and the same is hereby vested in Darby Kennedy and that the Ferry established at the Town of Augusta shall be and the same is hereby Vested in Edward Barnard Esquire and that the Ferry established at Fort Barrington aforesaid shall be and the same is hereby vested in Benjamin Lewis and that the said Ferries respectively shall be and Continue to be vested in the said Martin Dasher, the Honourable John Graham Esquire Thomas Morgan John Mulryne and Josiah Tatnall Esquires Darby Kennedy, Edward Barnard, and Benjamin Lewis, their, and each of their Executors, administrators, and Assigns respectively for and during the Term of Five years from the passing of this Act

AND BE IT FURTHER ENACTED, that the said Martin Dasher, the Honourable John Graham Esquire, Thomas Morgan, John Mulryne, and Josiah Tatnal Esquires Darby Kennedy Edward Barnard and Benjamin Lewis their

their Executors Administrators and Assigns respectively shall and they are hereby required to provide and keep at the Ferrys vested in them as aforesaid one or more sufficient Ferry Boat or Boats fit to Carry Five horses and also a sufficient Number of Servants, Slaves or other persons Constantly to attend the said Ferries as well by Night as by day to transport and Carry over the same passengers their Servants, Slaves, Horses, Cattle and Carriages and it shall and may be Lawfull to and for the said Martin Dasher; The Honourable John Graham Esquire, Thomas Morgan, John Mulryne, and Josiah Tatnall, Esquires; Darby Kennedy, Edward Barnard; and Benjamin Lewis their Executors, Administrators and Assigns respectively to ask, demand, and receive for the Ferriage at the respective Ferrys aforesaid the several prices and rates following Vizt

AT THE FERRY AT EBENEZER

For every foot passenger Two pence
For every person and Horse, Six pence
For every Wheel Carriage, Three pence p^{r}: Wheel
For every single Horse, Three pence
If Swam, One Penny half Penny P^{r}: head.
For Neat Cattle, Three Pence P^{r}: head.
If swam, One Penny half Penny P^{r}: head.
For Calves. Sheep and Hoggs, One penny p^{r}: head
If Swam, half Penny P^{r}: head

At

At either of the Ferries upon Briar Creek as the case may be

For every foot Passenger, One Penny.

For every person and Horse Three pence

For every Wheel Carriage, One Penny half Penny P^{r}: Wheel

For every Single Horse, One Penny, half Penny—

For Neat Cattle, One Penny, half Penny P^{r}: Head

And If Swam, One Penny P^{r}: Head

For Calves, Sheep, or Hoggs, whether Swam or Not, One half Penny P^{r}: head

AT THE FERRY AT AUGUSTA

For every foot passenger, Two Pence

For every person and Horse Four Pence

For every Wheel Carriage Two pence p^{r}: Wheel

For every Single Horse, Two Pence

And if Swam One Penny

For Neat Cattle Two pence P^{r}: head

And if Swam, One Penny half Penny P^{r}: head

For Calves, Sheep, or Hogs, One Penny P^{r}: head

And if Swam, One half Penny P^{r}: head

AT THE FERRY AT FORT BARRINGTON

(if to the Opposite Shore)

For every foot Passenger, Two pence

For every person and horse Six pence

For every Wheel Carriage Three pence P^{r}: Wheel

For

For every Single horse, Three pence
And if Swam One Penny half Penny.
For Neat Cattle Three Pence P^{r}: head
And if Swam One penny half Penny P^{r}: head
For Calves, Sheep, or Hogs, One penny P^{r}: head and
If Swam One half Penny P^{r}: head

BUT PROVIDED there should be such a fresh in the River Alatamaha as renders it impracticable to go through the swamp on the Opposite side then and in that case it shall and may be Lawfull for the said Ferry Man, to demand and receive the following rates for Ferriage to Mutteer's Landing and the same if brought from Santa Sevilia Viz^{t}
For every person and Horse, Four Shillings and Six Pence
For every foot Traveller Two Shillings
For every Wheel Carriage, Two Shillings and Three Pence P^{r}: Wheel
For Every Single Horse, Two Shillings and Three Pence

AND BE IT FURTHER ENACTED, that the said Martin Dasher, the Honourable John Graham Esquire, Thomas Morgan John Mulryne and Josiah Tatnall Esquires, Darby Kennedy, Edward Barnard, and Benjamin Lewis their Executors Administrators and Assigns respectively shall Affix or Cause to be affixed and Constantly kept in some publick Part of the house where

where he or they or the person or persons appointed to keep the said Ferrys shall reside or keep in at the said Ferrys respectively a List of the rates and prices of Ferriage at such Ferry as is settled in and by this Act.

AND BE IT FURTHER ENACTED that in case any person or persons going to any of the said Ferrys in Order to pass the same shall (tendering the ferriage as settled in and by this Act or other wise being hereby exempted from paying Ferriage) meet with unnecessary delay or be wilfully retarded for want of the Ferry Boat or of due attendance at such Ferry as by this Act is required the person in whom such ferry is in and by this Act Vested his Executors, Administrators or Assigns shall forfeit and pay for for every such delay which shall happen to the person or persons so delayed or retarded the sum of Ten Shillings for every Hour and so in proportion for any Less time to be recovered upon proof thereof before any of the Justices of the peace in the parish where such Ferry is established by Warrant under the hand and Seal of such Justice. PROVIDED that the person or persons so delayed or retarded do make complaint thereof within One Month after the same shall have happened—

AND BE IT FURTHER ENACTED that the Governor or Commander in Chief of this Province for the time being and persons sent Express in the service of this province or carrying

rying the post Mail, and all persons in times of Actual Service upon Alarms, Insurrections and Invasions, his Majesties Troops upon duty and Ministers of the Gospel be and they are hereby declared to be exempted from paying any Ferriage for themselves their Servants, Horses, Carriages or Baggage for passing or repassing any of the Ferrys hereby established as aforesaid

AND BE IT FURTHER ENACTED that no deputy or Agent of the post Master General carrying the Mail or persons sent Express in the service of this province passing or repassing the said Ferry, shall be detained but the person or persons attending the said Ferry shall forthwith and within One half hour after such deputy or Agent or other person sent Express (Satisfying the Ferryman that they are so) shall require the same (Bad weather and other unavoidable Accidents excepted) Convey such deputy or agent or person sent Express over the said Ferry on pain of Forfeiting Five pounds and in case such deputy or Agent of the post Master General or person sent Express as aforesaid shall be detained at the said Ferry the space of Twelve hours then and in such case the person in whom such ferry shall be in and by this Act Vested his Executors Administrators or Assigns shall over and above the said sum of Five pounds forfeit and pay the sum of Ten Shillings for every hour after the said space of twelve hours they shall be so delayed the said Penalties and forfeitures

to be recovered in any Court of record in this province, One Moiety thereof to be to his Majesty his Heirs and Successors towards the support of the Government in this Province, and the other Moiety to such deputy or Agent or person sent Express who shall Sue and prosecute for the same together with the Costs of Suit:

AND BE IT FURTHER ENACTED that the said Martin Dasher, the Honourable John Graham, Thomas Morgan John Mulryne and Josiah Tatnall Esquires Darby Kennedy, Edward Barnard and Benjamin Lewis, their, and each of their Executors Administrators and Assigns shall Keep in Constant and good repair the several Boats in and by this Act required to be by them respectively Kept at the several ferrys vested in each of them their Executors Administrators and Assigns and shall also Keep in good and constant repair the Landings used at the respective Ferries aforesaid.

AND BE IT FURTHER ENACTED that the Commissioners or Surveyors of the several divisions of the roads in this Province within their respective districts or either of them shall be and he or they is and are hereby impowered from time to time to inspect the state of the Ferry Boat or Boats the Sufficiency of the Servants, Slaves, or persons attending the Ferrys hereby established as aforesaid and the Condition of the Landings thereof and upon any Insufficiency damage or want of repair to give Notice

tice to the person in whom the Ferries where such insufficiency damage or want of repair shall appear is in and by this Act Vested his Executors, Administrators or Assigns to repair and make good the same and if within One day after such Notice so given as aforesaid he or they shall Neglect or refuse to repair and make good the same upon proof thereof made before the Majority of the Commissioners or Surveyors of the respective divisions appointed in and by this Act to inspect such Ferrys the person or persons in whom the said Ferrys are hereby Vested their Executors Administrators or Assigns shall forfeit and pay the sum of Five Shillings for every day he or they shall so neglect or refuse to repair and make good such insufficiency damage or want of repair over and above the penalty which may thereby be incurred for any delay of Travellers as herein before is mentioned to be recovered by Warrant under the Hands and Seals of the said Commissioners or Surveyors and Applied towards the repairs of the Bridges roads and Causeways within such division.

By Order of the Commons House of Assembly
ALEX WYLLY Speaker

By Order of the upper House of Assembly
N JONES

Council Chamber
11.th April 1768

Assented to
JA: WRIGHT.

State

Agent in Great Britain.

(State Archives.)

AN ORDINANCE

Appointing Benjamin Franklin Esquire Agent to Solicit the affairs of this Province in Great Britain

Whereas there are many important affairs necessary to be represented solicited and transacted in Great Britain which cannot be effectually done without having an agent there AND WHEREAS the General Assembly of this Province have thought Benjamin Franklin Esquire a proper person to be appointed for the purposes aforesaid BE IT THEREFORE ORDAINED and it is hereby Ordained by his Excellency Jas. Wright Esquire Captain General and Governor in Chief of his Majesties Province of Georgia by and with the Advice and Consent of the Honourable Council and Commons House of Assembly of the said Province in General Assembly met and by the Authority of the same, That the said Benjamin Franklin be, and he is hereby declared Nominated and Appointed Agent to represent, Solicit and transact the affairs of this Province in Great Britain—

AND BE IT FURTHER ORDAINED that the said Benjamin Franklin, shall be and he is hereby fully Authorized and impowered to follow and pursue all such Instructions, as he shall from time to time receive from the General Assembly

Agent in Great Britain.

sembly of this Province or from the Committee herein after Appointed to Correspond with him.

AND BE IT FURTHER ORDAINED that the Honourable James Habersham, Noble Jones, James Edward Powell, Lewis Johnson, and Clement Martin Esquires, The Honourable Alexander Wylly Esquire John Mulryne, John Smith, Noble Wimberly Jones, John Milledge, John Simpson, Archibald Bulloch, William Ewen, and Joseph Gibbons Esquires, untill others shall be appointed or any Seven of them. Two of which to be of the Council. Provided nevertheless that if after being summoned in consequence of an Order from any of the Committee by the Clerk or other person appointed by them for that purpose to meet the Committee, they shall refuse or Neglect to attend then any seven of the persons before named, shall be and they are hereby nominated and appointed a Committee to correspond with the said Benjamin Franklin and give him such Orders and instructions from time to time as they shall judge to be for the service of this Province - - - AND BE IT FURTHER ORDAINED that there shall be allowed and paid unto the said Benjamin Franklin for his Agency the sum of One Hundred Pounds Sterling Money of Great Britain over and above his reasonable Charges and disbursements on his Application to the several Offices and Boards in Negotiating

the

the affairs of this Province - - - AND BE IT FURTHER ORDAINED that the said Benjamin Franklin shall be and Continue Agent for this Province for One whole year to Commence the First day of June next in the year of our Lord One Thousand Seven Hundred and Sixty Eight.

By Order of the Commons House of Assembly—

ALEX WYLLY Speaker

By Order of the upper House of Assembly

N JONES

Council Chamber
11.th April 1768

Assented to

JA: WRIGHT.

(State Archives.)

AN ACT

For Regulating the Assize of Bread

WHEREAS the regulating the price and assize of Bread is absolutely necessary to prevent evil

evil disposed persons from taking Advantage for their own gain and Lucre to deceive and oppress his Majesties Subjects and more especially the poorer sort of people are thereby greatly distressed for remedy whereof we humbly Pray your most Sacred Majesty that it may be Enacted AND BE IT ENACTED by his Excellency James Wright Esquire Captain General and Governor in Chief of the Province of Georgia by and with the Advice and consent of the Honourable Council and Commons House of Assembly of the said Province in General Assembly met and by the Authority of the same that from and after the passing of this Act no Person or Persons whatsoever shall make for Sale or Sell or Expose to Sale within this Province any Sort or Sorts of Soft Bread made of Wheat other than the several Sorts herein after mentioned (Viz^{t}) White, Wheaten, and Household Bread all which Several sorts of soft Bread shall be made in their several and respective degrees according to the goodness and fineness of the several Sorts of Flour of which the same ought to be made and when fine wheat Flour is sold in Savannah at any of the rates herein after mentioned the assize and weight of the said white, Wheaten and Household Bread respectively are and shall be sett and ascertained According to the following table in Avoirdupois Weight and so proportionably when fine Flour shall be sold in Savannah for more or less Money than is specified in the

said

said Tables wherein the white Loaves shall always be one half and the Wheaten Three Quarters of the weight of the Household Loaves.

A TABLE of the Assize of Bread in pounds ounces and drams Avoirdupois Weight.

FOUR PENNY LOAVES.

SHILLINGS	WHITE			WHEATEN			HOUSEHOLD		
"	lb.	oz.	drs	Lb:	oz	drs	Lb.	oz.	drs
10	2:	11:	4	4:	1:	2	5:	6:	8
11	2:	7:	4	3:	11:	2	4:	14:	8
12	2:	4:	0	3:	6:	0	4:	8:	0
13	2:	1:	3	3:	1:	12	4:	2:	6
14	1:	14:	13	2:	14:	03	3:	13:	10
15	1:	12:	12	2:	11:	2	3:	9:	8
16	1:	11:	0	2:	8:	8	3:	6:	0
17	1:	9:	6	2:	6:	1	3:	2:	12
18	1:	8:	0	2:	4:	0	3:	0:	0
19	1:	6:	11	2:	2:	0	2:	13:	6
20	1:	5:	9	2:	0:	5	2:	11:	12

TWO PENNY LOAF

10	1:	15:	10	2:	0:	9	2:	11:	4
11	1:	3:	10	1:	13:	9	2:	7:	4
12	1:	2:	0	1:	11:	0	2:	4:	0
13	1:	0:	10	1:	8:	14	2:	1:	3
14	0:	15:	7	1:	7:	2	1:	14:	3
15	0:	14:	6	1:	5:	9	1:	12:	12
16	0:	13:	8	1:	4:	4	1:	11:	0
17	0:	12:	11	1:	3:	1	1:	9:	6
18	0:	12:	0	1:	2:	0	1:	8:	0
19	0:	11:	6	1:	1:	0	1:	6:	11
20	0:	10:	13	1:	0:	3	1:	5:	14

Regulating Assize of Bread.

PENNY LOAF.

SHILLINGS	WHITE WHEATEN			HOUSEHOLD		
"	lb.	oz.	drs	Lb:	oz	drs
10	0:	10:	13....	1:	0:	4....
11	0:	9:	13....	0:	14:	12....
12	0:	9:	0....	0:	13:	8....
13	0:	8:	5....	0:	12:	7....
14	0:	7:	11....	0:	11:	9....
15	0:	7:	3....	0:	10:	12....
16	0:	6:	12....	0:	10:	2....
17	0:	6:	5....	0:	9:	8....
18	0:	6:	0....	0:	9:	0....
19	0:	5:	11....	0:	8:	8....
20	0:	5:	6....	0:	8:	1....

Lb.	oz.	drs
1:	5:	10
1:	3:	10
1:	2:	0
1:	0:	9
0:	15:	6
0:	14:	6
0:	13:	8
0:	12:	11
0:	12:	0
0:	11:	5
0:	10:	15

And so in proportion to the above Table when the price of Flour shall be more or less then is therein mentioned or for Loaves of other denomination—

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Commissary General for this Province for the time being or in case of his Absence or Sickness the Treasurer shall and is hereby required upon the best information he can get to insert an Advertisement in the Gezette of this Province every week Setting forth the market price of fine Flour which shall be taken and deemed the Market price from time to time of such flour for one week after such Publication. AND to the intent the good design of this Act may be effectually complyed with—

Be

BE IT FURTHER ENACTED that every Baker or other Person making bread for sale or exposing the same to Sale shall mark or imprint or caused to be fairly marked and imprinted on every Loaf so by him, or her, made the Price of such Loaf together with the initial Letters of his, or her, name that the Baker and Price thereof may be the more distinctly Known and if any Baker or Bakers or any other Person making Bread for sale or exposing the same to sale shall not observe the Assize ascertained by this Act or shall bake or make for sale or sell or exposed to sale any of the sorts of bread before mentioned wanting the due weight or not marked as aforesaid, he, she, or they, being thereof convicted on the Oath of one or More credible Witnesses before one or more Justices of the Peace of the district where such baker or other Person exposing the same to sale shall reside shall for every such offence forfeit the value of such Bread for the use of the Poor of the Parish where such offence shall be Committed and also Pay a further sum not exceeding Ten Shillings to be levied by distress and Sale of the offenders goods and Chattels by warrant from the said Justice or Justices before whom such conviction shall be made to be given for the use of the informer or informers—

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any baker or Seller

of

of Soft Bread as herein before mentioned shall put into any such bread by him or her sold or exposed to Sale any mixture other than what shall be necessary for the well making or baking thereof to be judged of by the Justice or Justices trying and examining the same every such person so offending shall for every such offence forfeit all such bread so fraudulently mixed for the use of the Poor of the Parish where the offence shall be Committed and also a sum not exceeding Twenty Shillings for the use of the informer or informers to be recovered in manner before directed—

PROVIDED ALWAYS that no Person shall be convicted in manner aforesaid for any of the offences beforesaid unless the same shall be prosecuted within three days next after such offence shall be Committed—

AND BE IT FURTHER ENACTED by the Authority aforesaid that it shall and may be Lawfull for any Justice or Justices of the Peace at all times hereafter in the day time to enter into any House, Shop, Stall, Bake House, or ware house of or belonging to any baker or Seller of Bread and there search for view or try and Weigh all and any of the Bread mentioned in this Act of such person or persons or which shall be there found and if any such Bread so found shall be wanting either in goodness of its materials or not be duly Baked or wanting in its due weight or not marked as aforesaid

aforesaid or shall be composed of or made up with any other Materials than what is allowed by this Act then and in every such Case it shall be Lawfull for the said Justice or Justices to Seize and take the said Bread so found and cause the same to be given and distributed to the poor of the Parish where such Seizure shall be made and if any Baker or Seller of Bread or other Person shall not Permit and Suffer such Search and Seizure to be made or shall oppose hender or resist the same, he, she, or they, so doing shall for every such offence forfeit the sum of Five Pounds Sterling to the use of the poor of the said parish to be recovered in the same manner and form as before directed—

PROVIDED ALWAYS AND BE IT FURTHER ENACTED by the Authority aforesaid that if any Person or Persons convicted of any offence against this Act shall think him her or themselves Aggrieved, He, She or They shall or may immediately or within Three days after such Conviction make his or her appeal in Writing to any Two Justices of the Peace of the district where such conviction shall be made by whom the same shall be heard and finally determined within Ten days after such Appeal made and if the said Person or Persons so Appealing shall not make good his, her or their appeal or prosecute it with Effect the said Justices shall award such Costs as they

shall

shall think reasonable to the prosecutor or informer and in case such person or persons refuse to pay the said Costs to Commit the offender or Offenders to the common Goal unless they give sufficient security untill he, she, or they shall make payment of the said Costs and also the penalty Adjudged on the Conviction to the informer but in case the said Appealant or Appealants shall make good his, her, or their Appeal and be discharged of his, her, or their Conviction the like reasonable costs shall be awarded to the Appealant or Appealants against such informer to be recovered as aforesaid

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any Action or suit shall be commenced or brought against any person or persons whatever for doing or Causing to be done any thing in persuance or execution of this Act or relating thereto the defendant in every such Action or Suit may plead the General Issue and give the special matter and this Act in Evidence and if the Plaintiff be nonsuited or discontinue his Action or a Verdict be given against or Judgement be otherwise given for the defendant every such defendant shall have and be allowed his double Costs—

AND BE IT FURTHER ENACTED by the Authority aforesaid that this Act shall be and Continue in force for Three Years and from

thence

thence to the end of the next Session of the General Assembly and no longer.

By Order of the Commons House of Assembly

ALEX WYLLY Speaker

By Order of the upper House of Assembly

N JONES

Council Chamber
11.th April 1768

Assented to

JA: WRIGHT.

(State Archives.)

AN ACT

To Prevent as much as may be the Spreading of the Small Pox in this Province.

WHEREAS it may be necessary under proper regulations to Prevent the Spreading of the distemper commonly called the small Pox in case the same at any time hereafter should be brought into this Province We therefore Pray your most Sacred Majesty that it may be Enacted AND BE IT ENACTED by his

his Excellency James Wright Esquire Captain General and Governor in Chief of his Majesties Province of Georgia by and with the Advice and Consent of the Honourable Council and commons House of Assembly of the Said Province in General Assembly met and by the Authority of the same that from and after the passing of this Act if any Person Whatever within this Province shall Inoculate or Ingraft or cause to be Inoculated or Ingrafted the disease or distemper commonly Called the small Pox in or upon him, her, or themselves their family or Slaves or in or upon any other Person or Persons Whatever (except as herein after excepted) or shall wilfully or Knowingly inflict or cause to be inflicted the said disease or distemper or shall use any art device or Contrivance whatsoever or shall willingly or Knowingly do any Act, matter, or thing by which or by reason whereof the infection of the said disease or distemper may be inflicted upon given to or received by him her, or themselves, their family or slaves or any other Person or Persons whatsoever within the Province as aforesaid or by which or by reason whereof the Infection of the said disease or distemper may be spread or communicated to any person or Persons whatsoever within the same then and in every such case every Person who shall offend in any of the Premisses for every such offence shall forfeit the sum of One Hundred Pounds Sterling

And

AND BE IT FURTHER ENACTED by the Authority aforesaid that it shall and may be Lawfull for any one or more Justice or Justices of the Peace residing in Savannah or in any other Town or parish taking to his or their assistance the Church Wardens, if any and Constables of the said Parish or any of them and the said Justice or Justices Church Wardens and Constables are hereby Authorized and required to take such prudent necessary and reasonable methods from time to time as they in their discretion shall think fit for hindring infected persons being brought within this Province—

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any infected person or persons shall come into this Province and all and every person or persons who shall Aid procure or assist in bringing, Sending, or Conveying such infected person or persons within the same shall forfeit severally and respectively for every such offence the sum of One Hundred pounds Sterling—

AND BE IT ENACTED by the Authority aforesaid that in case any Justice of the Peace aforesaid or any person whom he shall command to his assistance not having reasonable excuse shall wilfully neglect or refuse to do and execute the duty required of them by this Act every such Justice and other person so offending shall forfeit for each offence the sum of Ten

Ten pounds Sterling and in case any person or persons whatsoever shall wilfully resist obstruct or oppose any such Justice or other person commanded to his Assistance in putting this Act in execution any Justice upon view or Information thereof shall immediately issue his Warrant to apprehend and bring such person or persons before him or any other Justice of that parish and every such person being so brought shall be bound with Sufficient Sureties by Recognizance to appear at the next Session of Oyer and Terminer and on failure of giving such security be committed to the common Goal of Savannah, untill the Session aforesaid and shall upon conviction forfeit and pay the Sum of One Hundred pounds Sterling and on failure of payment thereof shall Suffer Three Months imprisonment without Bail or Mainprize—

AND BE IT FURTHER ENACTED by the Authority aforesaid that in case any Slave shall be inoculated or ingrafted or being Known to be infected with the said distemper or disease shall be sent, brought, carried or conveyed from the usual place of residence of the said Slave to any other part of this Province contrary to the true intent and Meaning of this Act the owner or other person having the Care or Charge, of every such slave shall be Adjudged, deemed, and taken, to have Caused and Procured such offence to be committed and shall be subject and liable to the same penalty and forfeiture as is herein before imposed on any

any other person infected with the said distemper, and coming, being, brought, or Sent within this Province unless such owner or other person as aforesaid shall upon Oath declare that such Negroe or other Slave did not come or was not sent or brought with his or her Knowledge or Consent

AND BE IT FURTHER ENACTED by the Authority aforesaid that where any person or persons shall be infected with the said disease in any House within the Limits of any Town Village or Plantation within this Province every master, owner, or other person having the care or Charge of such House shall immediately upon discovery of such infection Fix or Cause to be affixed on the front door of such House as aforesaid and also at the most Publick place within the said Townes Villages or nearest to the said Plantations, Advertisements signifying that the small pox is at such House and in case such Master, Owner or other person having the Care or charge of such house as aforesaid shall neglect or refuse to fix or cause to be affixed such Advertisements hereby directed each and every person so neglecting of refusing shall forfeit for every such offence the sum of Ten pounds Stirling—

AND BE IT FURTHER ENACTED by the Authority aforesaid that no person or persons shall build or erect or Cause to be Built or Erected any Hospital or Sick House for the reception

ception of Patients, or shall convert or Cause to be converted any house already Built into an Hospital or Sick house for the reception of Patients or persons infected with the small pox except those of his, or, her family, Servants or Slaves within Eight hundred yards of any Publick Road under the penalty of one Hundred pounds Sterling.

AND BE IT FURTHER ENACTED by the Authority aforesaid that this Act shall not extend or be construed to extend to prevent any person or persons within the said Province upon whose plantation or in whose house the said disorder shall break out, from Inoculating him, her, or themselves or any part of their familys or any of their Slaves within the said Plantations or in the said House—

AND BE IT FURTHER ENACTED by the Authority aforesaid that if at any time it shall be thought expedient during the continuance of this Act to admit Inoculation, Then it shall be Lawfull for the Governor or Commander in Chief for the time being by and with the Advice and Consent of the Honourable Council to give permission for persons being Inoculated with the said disease or distemper under such regulations and restrictions as they shall think Proper and Notify by proclamation, any thing in this Act contained to the Contrary notwithstanding.

And

AND BE IT FURTHER ENACTED by the Authority aforesaid that all and singular the penalties and forfeitures imposed by this Act shall be disposed of in manner following, that is to say One half to his Majesty towards defraying the Expence in putting this Act in Execution, and the over plus of such half, if any, to the use of the poor of the parish where the offence shall be committed and the other half to him or them who shall sue for the same by Action of debt, Bill, Plaint or information in the General Court of Pleas in this Province where no essoign, protection, or Wager of Law or more than One Imparlance shall be Admitted or allowed and all and every Person or persons who shall be sued or prosecuted for doing any thing in execution of this Act shall and may Plead the General Issue and give the special matter in evidence and if any Plaintiff or prosecutor shall become nonsuited suffer a discontinuance Enter a Noli prosequi or a Verdict shall pass against him, the defendant shall recover his Treble Costs—

AND BE IT FURTHER ENACTED by the Authority aforesaid that this Act shall Continue and be in force for the term of Three Years and from thence to the end of next Session of the General Assembly and no longer. —

By Order of the Commons House of
Assembly

ALEX WYLLY Speaker

By

By Order of the upper House of Assembly

N JONES

Council Chamber
11.th April 1768

Assented to

JA: WRIGHT.

(State Archives.)

AN ACT

For Granting to his Majesty the sum of Three Thousand, Three Hundred and Seventy Five pounds Four Shillings and One Penny for the use and support of the Government of Georgia for the year One Thousand Seven hundred and Sixty Eight to be raised at certain rates and after the method therein mentioned and for the more Effectual collecting of Arrears.

WE his Majesties most dutifull and Loyal Subjects the Commons House of Assembly of Georgia taking into our Consideration the Expences Necessary towards the support of this Government for the present year and having Resolved to supply the same do by this Act chearfully and Voluntarily give and grant unto his Majesty

Majesty the sum of Three Thousand, Three Hundred and Seventy Five Pounds Four Shillings and One Penny to be raised and levied and paid in the Manner and for the purposes herein after in this Act Mentioned and we do therefore humbly pray your Most Sacred Majesty that it may be Enacted, AND BE IT ENACTED by his Excellency James Wright Esquire Captain General and Governor in Chief of his Majesties Province of Georgia by and with the Advice and Consent of the Honourable Council and Commons House of Assembly of the said Province in General Assembly met and by the Authority of the same, That the sum of Three Thousand Three Hundred and Seventy Five Pounds, Four Shillings and One Penny shall be raised levied and paid within the space of One year from the Twenty Ninth day of September One Thousand Seven Hundred and Sixty Seven and is hereby Granted to his Majesty for the use and Support of this Government in the manner as is herein after mentioned and directed.

AND BE IT FURTHER ENACTED that towards raising the said Sum of Three Thousand Three Hundred and Seventy Five Pounds, Four Shillings and One Penny the several rates and sums following shall be rated and Assessed as herein after mentioned, that is to say, the sum of Two Shillings and Six pence on every Hundred Acres of Land in this Province holden

and

and possessed by Grant or Warrant by any person or persons whatsoever, the Sum of Seven Shillings and Six pence on every Hundred pounds Value on all Lots in the Towns, of Savannah, Ebenezer, Augusta, Frederica and Sunbury Wharf Lots and Lots laid out on Lands commonly called Yamacraw, the Trustees Gardens and Ewensburg; The sum of Five Shillings on every Hundred pounds Value of Buildings and improvements on the said Lots. The sum of Two Shillings and Six Pence on every Negroe or other Slave whatsoever being within the limits of this province, The sum of Fifteen Shillings on every Free Negroe Mulattoe or Mustie above the Age of Sixteen years, The Sum of Seven shillings and Six Pence on every Hundred pounds Value of all goods, Wares, and Merchandize imported with intent to Sell again by any Merchant, Factor, Store keeper, or other person whatsoever to be rated at the price thereof as imported (Goods, Wares, and Merchandize imported by transient persons only Excepted). the sum of Twelve Shillings and Six pence on every Hundred pounds let or lying at Interest by Choice.

AND BE IT FURTHER ENACTED that all and every person and persons Whatsoever having any Estate or Interest in any Lands, Tenements, Goods, or Chattels within this Province shall on or before the last Tuesday in May after the passing of this Act render a Particular Account in Writing upon Oath (or affirmation if a Quaker

Quaker) to the best of his, her, or their knowledge unto the Collectors of the several Parishes where, he, she, or they, shall respectively reside of all Lands, Lots Houses, Slaves, Monies at Interest, Goods and effects, whatsoever whereof he, she, or they is or are Seized or possessed or Interested in liable by this Act to the rates and Taxes, aforesaid and where situate and being and of all Deer Skins and beaver Skins by him, her, or them, exported or sent out of this Province except in Ships bound to Great Britain at such time and place as the Collectors herein after named shall respectively direct and appoint who are hereby required to give Fifteen days Notice thereof at least by Publick Advertisement specifying the several rates aforesaid and all and every the said person and Persons so giving an Account as aforesaid shall at the same time pay to the said Collectors the several sums and Taxes due from him, her, or them thereupon as by this Act rated and assessed.

AND BE IT FURTHER ENACTED that the said Collectors respectively shall and they are hereby required to Administer the Oath following to all and every person and persons at the time of receiving his, her, or their, Account first entering such Account in the List or Schedule agreeable to the form to this Act Annexed whereto the persons so paying their Tax shall respectively subscribe their Names in the Column of the said Schedule for this purpose Assigned: I: "A: B: do solemnly Swear (or af-

"firm

"firm as the case may be) in the presence of "Almighty God that the Account now by me "given and delivered to the Collectors of the "Public Tax doth contain a just, true, and par- "ticular Account of all the Lands, Town Lots, "Houses and Slaves, whereof I am in any wise "Seized possessed intituled unto or Interested "in either in my own right or as Attorney, "Guardian Executor, or Administrator or Trus- "tee to any other person or persons Whatsoever "and of the amount of the prime Costs of all "goods Wares and Merchandise by me im- "ported with intent to Sell again or Consign- "ed to me for Sale on Commission and of all "Deer Skins and Beaver Skins by me exported "or sent out of the Province, except in Ships "bound to Great Britian from the First day of "April, One Thousand Seven Hundred and "Sixty Seven exclusive to the first day of April "One Thousand Seven Hundred and Sixty Eight "inclusive (the produce of this Province and "goods exported as a remittance only excepted,) "and also of all Moneys lett or Lying at Inter- "est by Choice in this Province either in my "own right or in the right of any other person "or persons whatsoever, So help me God"

AND BE IT FURTHER ENACTED that for the more effectual recovery of the arrears of the last and every preceeding years Tax, all and every the said person and persons hereby Liable to the payment of the said Tax by this Act

imposed

imposed shall at the time of giving his, her, or their Account, as herein before required produce to the Collector or Collectors a receipt for the last years Tax or otherwise declare upon Oath (or affirmation as the case shall be which the Collectors hereby appointed are Severally and respectively Authorized and required to Administer) that, he, she, or they, hath or have paid the Publick Tax for the last and every preceeding Year agreeable to the rates thereof and in case such person or Persons shall be in Arrears for the Last or any Preceeding years Tax, he, she, or they, shall then give an Account thereof upon Oath and pay the same to the Collectors Accordingly in failure whereof the same shall and may be rated Assessed and levied as herein after Provided.

AND BE IT FURTHER ENACTED that in case any person or persons who shall give an Account of their Lands, Slaves and Effects as herein before required and shall not at the same time pay the Tax thereupon due from him, her, or them as herein before directed or within Thirty days after such Account so by him, her, or them given in that case then it shall and may be Lawfull to and for the several Collectors and they are hereby respectively required to cause the same to be levied in Manner as herein after mentioned.

AND BE IT FURTHER ENACTED that if any person or persons whatsoever shall neglect

or

or refuse to give an Account of their respective Lands, Lots, Houses, Slaves, Monies let or lying at Interest by Choice, Goods, and Effects, as aforesaid at the time and in the manner as by this Act is herein before directed the Collectors respectively and either of them shall and they are hereby severally authorized and required within Ten days after the said last Tuesday in May to rate and Assess every such defaulter or defaulters double the Tax which, he, she, or they shall have paid for the last year and in case such defaulter or defaulters shall not have paid any Tax for the year preceeding then the said Collectors shall thereupon rate and assess every such defaulter or defaulters to the best of his or their knowledge for double the Estate which, he, she, or they shall possess and in either case shall cause the same to be levied as herein after is directed AND TO prevent Free Mulattoes or Mestizoes from evading the payment of the Tax by pretending to be Spaniards or other foreigners BE IT FURTHER ENACTED that every such person who shall be reputed a mulattoe or a Mustizoe shall be assessed as such unless he can prove to the Contrary.

AND BE IT FURTHER ENACTED, that the several rates and Taxes hereby rated and imposed shall be levied on the Goods and Chattels of the Defaulter and defaulters by warrant under the Hand and Seal of the Collector or Collectors of the parish wherein such defaulter

or

or defaulters shall reside to be directed to any Constable or Constables thereof requiring him or them to levy the same by distress and sale of the Defaulter or Defaulters Goods and Chattels returning to him or them the Overplus if any after deducting the Charges following Vizt. To serving any warrant of Execution One Shilling, One Shilling in the Pound for every Pound Levied, and Two Pence for every mile to be computed from the dwelling House of the Constable levying the same to the place of residence of every such Defaulter or Defaulters and the Collectors respectively shall and may take One Shilling and six pence for every such warrant and every Constable refusing or neglecting to execute such Warrant shall for every offense forfeit and pay the sum of Five pounds to be recovered by Warrant of distress of any Justice of the peace where the offence shall be committed on due proof thereof made before him by any Collector or Collectors and in case no Goods or Chattels of such Offender may be found whereon the said Distress may be levied then it shall and may be lawfull for such Justice of the Peace to commit such Offender to the common Goal in Savannah there to remain for the Space of three months or untill the said Sum of Five Pounds shall be satisfied.

AND BE IT FURTHER ENACTED that the several Persons herein after named shall be and they are hereby appointed Collectors for the

several

several Parishes herein after mentioned respectively that is to say For the Town of Savannah and Parish of Christ Church Robert Bolton, Joseph Wright and Phillip Box Esquires For the Town of Ebenezer and Parish of Saint Matthew, John Flerl and John Gaspar Wertsch Esquires For Hallifax and Parish of St. George John Thomas and Andrew M^{c}:Curry Esquires For the Town of Augusta and Parish of Saint Paul John Tinkler James Grierson and Robert Germany. For the Parish of Saint Phillip William LeConte Esquire and James Butler Son of Joseph For the Town of Sunbury and Parish of Saint John John Martin Esquire Simon Munro and Benjamin Andrew For Darien and Parish of S^{t}: Andrew Thomas Quarterman Hugh Clark and James McLellan For the Town of Frederica and Parish of Saint James John Polson Esquire and John Martin For the Parish of Saint David Saint Patrick Saint Thomas and Saint Mary John Simpson Junior John Grayson William Clark and Jacob Helvenstine. Which said Collectors respectively shall before their entering upon their office take the Oath following before any Justice for the Parish where they shall reside That is to say "I, A. B. "do solemnly swear that I will well and faithful- "ly according to the best of my Knowledge and "Ability and so that the Public Tax shall sus- "tain no Loss of Damage from any wilful neg- "lect or omission of mine Observe, execute and "perform the several matters and things re-

quired

"quired of me to be done and performed in and "by an Act of the General Assembly of this "Province Intituled An Act for granting to His "Majesty the Sum of Three Thousand Three "Hundred and Seventy five Pounds Four Shil- "lings and one penny for the Use and Support "of the Government of Georgia for the Year "One Thousand Seven Hundred and Sixty "Eight to be raised at certain Rates and after "the method therein mentioned and for the "more effectual collecting of Arrears according "to the true intent and meaning thereof so help "me God" which Oath the said Justice is hereby Authorized and required to administer accordingly and to give a Certificate thereof under his Hand and Seal which shall be produced by the Collectors respectively at the same time of delivering their Accounts to the Treasurer as herein after is required.

AND WHEREAS there are Sundry Tracts of Land Lots Houses and Monies the Proprietors whereof are not resident in this Province BE IT THEREFORE FURTHER ENACTED that all Attornies Trustees Executors and Administrators and other Persons any wise concerned for Absentees shall make due return to the Collectors of the Parishes respectively where they shall reside and of all the Estate and Effects they shall possess or be interested in as Attorneys Guardians Trustees, Executors or Administrators or otherwise and shall and they are hereby made liable to the payment of the Rates

Rates and Taxes assessed thereon out of their own Estate and Effects in manner as herein before mentioned, unless such Attorney or Attorneys, Guardian or Guardians, Trustee or Trustees, shall make Oath before the Collectors or one of them that he has renounced his power and Attorneyship before the Tax became due and without any intent to evade the payment thereof and every such Attorney and Attornies Guardian, and Guardians Trustees Executors and Administrators shall and may deduct the Tax he or they shall so pay out of the Effects of the Absentees in his or their Hands and in case of no such Effects every such payment shall and is hereby made Alien and Charge upon the Lands and Chattels of every such Absentee His Heirs and Assigns and shall and may accordingly be recovered at any Time afterwards by the Person or Persons paying the same his her or their Executors or Administrators in any of His Majesty's Courts of this Province.

AND WHEREAS The payment of the Publick Tax hath been evaded by Persons settled on or near the Banks of the Savannah River that hold or possess Lands on the opposite side thereof in the Province of South Carolina by removing their Slaves from this Province at the Time of Collecting the Tax for Remedy whereof BE IT FURTHER ENACTED that all and every such Person or Persons so holding Lands in both Provinces at the time of giving an account of his and their Lands and Estates to the Collectors

Collectors as herein before required shall produce to such Collector or Collectors a Receipt or Certificate from the Collector or Collectors of Tax in South Carolina of the Number of Slaves for which Tax shall have been paid by him her or them for the present Year or otherwise shall make Oath before the Collector or Collectors aforesaid to the Effect following Viz^{t}: That He She or They Hath or have paid or are liable to pay the public Tax in the Province of South Carolina for the present Year for all his her or their Slaves other than such as are contained in the account now delivered in to the Collector or Collectors as aforesaid pursuant to the directions of this Act and all and every Person and Persons who shall refuse to produce such Receipt or Certificate or to make Oath as aforesaid shall be liable to pay Tax for the whole Number of his her or their Slaves and the said Collectors shall in default of payment accordingly issue warrant of Execution for the same as herein before directed.

AND BE IT FURTHER ENACTED that the said Collectors respectively shall on or before the first day of July next after the passing of this Act or within ten days after close their accounts and deliver the same in person together with the Tax List aforesaid and also an account of the Lands held by Absentees or persons not resident in the Parish unto the Treasurer of this Province and at the same time shall pay him all such

such Monies as by them or either of them shall have been respectively received in pursuance of this Act after deducting for Commissions at the rate of Six Pence for every Pound and no more and the said Collectors respectively shall sign the Tax Lists by them delivered and at the same time upon Oath shall deliver to the Treasurer an account of their own Lands Slaves and Estates in like manner as by this Act is required of others to be given to them and shall pay the Taxes for the same accordingly in default whereof the same shall and may be assessed and levied by the Treasurer in manner as aforesaid.

AND BE IT FURTHER ENACTED that all deeds and conveyances whatsoever of any Lands Tenements Goods or Chattels by any person or persons whatsoever made with an intent to avoid being assessed or paying Tax for the same as aforesaid shall and are hereby declared to be Fraudulent and Void to all intents and purposes whatsoever.

AND BE IT FURTHER ENACTED that the several Collectors or any or either of them who shall refuse to do and perform the several matters hereby required of them respectively to be done within the Time prescribed by this Act shall for every such neglect or refusal forfeit the Sum of Fifty Pounds to his Majesty for the support of this Government to be sued for and recovered by the Treasurer in any Court of Record in this Province.

And

AND BE IT ALSO ENACTED that in case any Collector or Collectors of the present or any former Taxes shall refuse or neglect to give in upon Oath to the Treasurer a true and just account of all Monies received by him or them or due to his Majesty on account of the Tax herein imposed or on account of any former Tax within their several respective districts by the time herein before limited that then it shall and may be Lawfull for the Treasurer and he is hereby enjoyned by Warrant under his Hand and Seal to commit such Collector or Collectors to the common Goal in Savannah there to remain without Bail or Mainprize untill He or they shall have rendered upon Oath to the Treasurer a full and satisfactory account of and shall have paid all such Sums so as aforesaid by him or them collected and have given an account of all Monies due to his Majesty in his or their several and respective districts by virtue of this or any former Tax Act and have paid the regular Charges of such Commitment.

AND BE IT FURTHER ENACTED That the Governor and Council shall give an Order to the Treasurer for the time being and shall issue the Monies raised and granted as aforesaid in the following Manner, that is to say

For defraying the expences of holding the Court of Oyer and Terminer a sum not exceeding Ninety Pounds Carr:[d] up_____ £90:0:0

Brought

Tax Act.

Brought up	£90:0:0
To the Justices of the Bench for holding Two Courts	6:0:0
To the Attorney General a sum not exceeding Ten Pounds	10:0:0
To the Provost Marshall for summoning Jurys Publishing Proclamations executing Writs of Election attending the Courts of Oyer & Terminer Thirty Pounds	30:0:0
To him for maintenance of Prisoners a Sum not exceeding Thirty Pounds	30:0:0
To the Clerk of the Crown a Sum not exceeding Four Pounds	4:0:0
To the Cryer and keeper of the Court Ten Pounds	10:0:0
For defraying the Expences of holding the general Assembly a Sum not exceeding One Hundred and Ninety Pounds	190:0:0
To the Clerk of the Upper House His Salary Thirty Pounds	30:0:0
To him as Clerk of the Council for transmitting minutes and other incidental Business a Sum not exceeding Forty Pounds	40:0:0
To the Clerk of the Commons House his Salary Thirty Pounds	30:0:0
To him for incidental Business and transmitting Minutes a Sum not exceeding Forty Pounds	40:0:0

To

To the Door keeper and Messenger of the Upper House his Salary Twenty five Pounds		25:0:0
To the Messenger and Door keeper of the Commons House his Salary Twenty five Pounds		25:0:0
To the Secretary for Copying and Sealing Acts and other incidental Business a Sum not exceeding Forty Pounds		40:00:00
For Expresses sent in the service of the Government not exceeding Sixty Pounds		60:00:00
To the Public Commissary Twenty Pounds		20:00:00
To Governor Ellis's Annuity Fifty Pounds		50:00:00
To the Commissioners of the Church Balance of Money borrowed Four hundred pounds	400:0:0	
To Ditto One Years Interest on Ditto to the 29:th September 1768 Thirty two Pounds	32:0:0	432:00:00
Towards sinking the Certificates Issued for Building a Court House in Savannah Five Hundred hundred Pounds		500:00:00
For supplying His Majesty's Troops doing Duty in this province		

ince agreeable to a resolution of 29:th October last with the following Articles Viz:t Fire Wood Candles Vinegar and Salt, Bedding, utensils for dressing their Vituals small Beer or Cyder not exceeding Five Pints of half a Pint of Rum or in lieu thereof three pence Sterling Per Diem to each man respectively and also to defray the Expences of providing necessary Carriages for the said Troops on their March through any part of the Province and for the Hire of Barns or Outhouses for their Lodgement where no Barracks are and to continue for one Year to commence the 1:st of November 1767 a Sum not exceeding Two hundred Pounds ----------	200:00:00
Carr:d Over ----------	1582:00:00
Brought over ----------	£1582:00:0
A Bounty to the several Pilots of this Province as an inducement to exert themselves in the discharge of their Duty to be issued and paid on a Certificate of the respective Commissioners named in an Act for Regulating	

the

the Pilotage of Vessels in the several Ports of this Province after the Rate of thirty Shillings for every Ship or Vessel that shall be brought from Sea into any of the Ports of this Province by such Pilots proof thereof upon Oath being made by the Master or Commander of every such Ship or Vessel before the Officer commanding at Fort George on the Island of Cockspur or the Comptroller of the Country Dutys for the Port of Sunbury as the Case may be which Oath the said Officer and Comptroller respectively are hereby Authorized and Required to administer to the several Masters or Commanders of Vessels arriving in this Province as aforesaid (Vessels employed in the Coasting Trade excepted) a Sum not exceeding One hundred and fifty Pounds	150:00:00
To the Pilot at Midway a Salary of Twenty Pounds	20:00:00
To the Printer a Salary of Fifty Pounds	50:00:00
To the amount of the appraised Value of the Buildings at Ogeechee Ferry agreeable to an Act	

of

Tax Act.

of Assembly passed the 9:th day of June 1761 Eighty Five Pounds	85:00:00
To John Simpson Esquire his Account for Copying and Transmitting Minutes of the Commons House of Assembly Ninety three Pounds ten Shill^{gs}: & Six Pence	93:10:6
To Joseph Piercy his Account as Interpreter for Indians upon an extraordinary occasion Thirty one Shillings and Six Pence	1:11:6
To the Honorable Alexander Wylly Esquire his Account for the statutes at large Fourteen Pounds and Six Pence	14:00:6
To Edward Bernard Esquire his account for Cash he Paid John Bacon Constable One Pound and Four Pence	1:0:4
To Thomas Lee Junior and Benjamin Weddle their account for repairs of Windows Seventeen Shillings and Two Pence	17:2
To Thomas Mack Constable his Account Thirteen Shillings and four pence	13:4
To James Pritchard Constable his Account One Pound One Shilling and Eight pence	1:1:8
To John McIntosh His Account for horse hire seventeen Shillings and Six pence	17:6

To

To Noble Wimberly Jones Esquire his account for Medicines to the Prisoners in Goal Thirty two Pounds Eight Shillings and One Penny	32:8:1
To George Galphin Esquire his Account for the Satisfaction he made to sundry Indians for the damage sustained by them from several Lawless People Forty four Pounds ten Shillings and two Pence	44:10:2
To Benjamin Lewis his account of Ferriage of Militia Three Pounds four Shillings	3:4:0
To Thomas Lee his account Five Pounds four Shillings and seven pence	5:4:7
To John Smith (Block Maker) his account for Cartouch Boxes for Fort George One Pound ten Shillings	1:10—
To John Lyon his account for the hire of a Room for holding the Courts Two Pounds Two Shillings	2:2—
Carried up	2089:11:4
Brought up	2089:11:4
To James Johnston his Account for Printing Twenty eight pounds Six Shillings	28:6—
To John Rivers for two Negroes Executed	

Tax Act.

Executed Eighty Pounds	80:00—
To John Goulding for a Negroe Executed Thirty Seven Pounds	37:00—
To Josiah Osgood Constable his account Ten Pounds Eleven Shillings and eight pence	10:11:8
To Samuel Salters for a Negroe Executed Forty Pounds	40:00—
To Samuel Stevens for two Negroes Executed Eighty Pounds	80:00—
To Thomas Peacock Constable his account Eighty Pounds Eleven Shillings and Five pence	8:11:5
To William McKenzie for a Negroe Executed Forty Pounds	40:00—
To Peter Tondee for a Negroe Executed Forty Pounds	40:00—
To Roger Kellsall for a Negroe Executed Forty Pounds	40:00—
To Charles Watson Esquire Ballance of his Account as Clerk to the Council Sixteen Pounds thirteen Shillings and Eleven Pence	16:13:11
To the Rector of the Parish of Saint Paul to be paid upon Certificate of the Church Wardens and Vestry of the said Parish Fifteen Pounds	15:00—
To Daniel Nunez Searcher, over and above the Sum provided for him by an Act for laying a Duty on Goods imported from the	

Tax Act.

Northern Colonies Ten Pounds_	10:00—
For Firewood and Candles for the use of the Patrol a Sum not exceeding Ten Pounds_____	10:00—
To an Officer at Ten Pounds P^{r}: Month and Five Men at Thirty Shillings P^{r}: Month to Garrison Fort George on the Island of Cockspur for twelve Months to commence the 8th: November 1767 Two hundred and Ten Pounds -- _____	210:00:—
To Charles Pryce Esquire Balance of His Account to the 10th: of last August Twenty One Pounds four Shillings and Eleven Pence half Penny _____	21:4:11 ½
To the Clerk of the Crown Balance of his Account Sixteen Pounds twelve Shillings and one penny__	16:12:1
To the Provost Marshall the Balance of his Account Sixty Eight Pounds -- _____	68:0:—
To Robert Baillie Esquire his Account for supplying sundries to Indians Three Pounds Eleven Shillings and one penny_____	3:11:1
To Matthew Roche Acting Provost Marshal as a Reward for his extraordinary Care and Diligence in securing William Sikes a notorious Villian untill the time of	

his

Tax Act.

his Execution Six Pounds Six Shillings	6:6:—
To Grey Elliott Esquire for drawing Eight Bills Sixteen Pounds	16:00:—
To Jeremiah Helvenstine for a Beef killed for the use of a Party of the Militia going to Setella, Two Pounds Two Shillings and Six Pence	2:2:6
To defraying the Expense of Surveyors Chain Carriers &c and of the Indians and such Gentlemen as attend the marking of the Indian Line a Sum not exceeding Forty Pounds	40:00:—
To Jeremiah Sliterman for keeping clean the Public Arms to be paid at the rate of One Shilling P^{r}: Annum for each stand on a Certificate from the Commissary of such service being performed a Sum not exceeding Twenty Pounds	20:00:—
To make good the deficiency owing to the several Pilots of this Province on the Certificates for bringing in Vessels over the different Bars a Sum not exceeding Sixty Pounds	60:00—
Carr^{d}: over	3009:10:11½

Brought

Tax Act.

Brought over		£3009:10:11½
To Cowper & Telfair their Account for Colours for the use of Fort George, Five Pounds, Three Shillings and Six pence		5:3:6
To the Agent for Solliciting the Affairs of this Province in Great Britain his Salary One Hundred Pounds		100:00:—
To the Register of Grants a Sum not exceeding Five Pounds		5:00:—
To the Coroner a Sum not exceeding Five Pounds		5:00:—
To John Francis Williams Esquire for money paid by him as a reward for apprehending and convicting a Horse Stealer Fifteen Pounds		15:00—
		£3139:14:5½
To the Treasurer his Commission on the above sum at five P^{r}: Cent One Hundred and Fifty-Six Pounds nineteen Shillings and Nine Pence	£156:19:9	
To the Collectors for their Commission on ditto at 2½ P^{r}: Cent Seventy Eight		

Pounds

Pounds nine Shillings and ten pence half penny ----------	78:9:10½	235:9:7½
		£3375:4:1

AND BE IT FURTHER ENACTED that the Fines and Penalties by this Act inflicted not herein before disposed of shall be to his Majesty for the use and Support of this Government.

By order of the Commons House of Assembly

ALEX^{r}. WYLLY Speaker

By order of the Upper House of Assembly

N. JONES

Council Chamber
11th: April 1768

Assented to

JA^{s}: WRIGHT.

State

(State Archives.)

AN ADDITIONAL ACT

To the Act of the General Assembly Intituled an Act "to Impower the Several Commissioners or Surveyors therein after named to lay "out and Make such Publick Roads in the "Province of Georgia as are herein after "mentioned and directed and to Con- "tinue to work upon, Clear, repair, and im- "prove the Several roads already laid out "and also the rivers and creeks within their "several and respective divisions" for dividing the second North West division of the Roads in this Province into two parts for Establishing a Division upon the North Side of Great Ogechee river in the parish of Saint Mathew and for impowering the Commissioners or Surveyors of Roads in the Third South West division to lay out a Public Road within the same and for appointing Additional Commissioners or Surveyors for the said division

WHEREAS the Second Northwest division of the roads in this Province as established in and by the Act of the General Assembly intituled "An Act to impower the several Commis- "sioners or Surveyors herein after named to "lay out and make such Publick Roads in the "Province of Georgia as are herein after men- "tioned and directed and to continue to Work upon

"upon, Clear, repair, and improve, the several "Roads already laid out and also the rivers and "Creeks within their several and respective di- "visions" is of so large an extent as to prevent the Commissioners or Surveyors named for the said division to do and perform the several duties required of them in and by the said recited Act. AND WHEREAS the increase of settlers on the south side of Great Ogechee River as well as on the Northern Side thereof makes it necessary to establish a Road for their more easy and speedy Communication with the Town of Savannah, We therefore pray your most Sacred Majesty that it may be enacted AND BE IT ENACTED by his Excellency James Wright Esquire Captain General and Governor in Chief of his Majesties Province of Georgia, by and with the Advice and consent of the Honourable Council and Commons house of Assembly of the said province in General Assembly met and by the Authority of the same that immediately from and after the passing of this Act the second northwest division shall be divided into Two parts and be hereafter distinguished by the names of the upper and lower parts of the said Second Northwest division of the Roads in this Province and that the said division to be made thereof as aforesaid shall be by the Creek called and Known by the name of Tuckasee Kings Creek upon the River Savannah to the Publick Road and from thence in a South West Line to the Boundary herein after to be

established

established for a Road on the North side of Great Ogechee River, and that the part of the said Second North West division Lying between the said Tuckasee Kings Creek and the south west line as aforesaid to the North west line of the parish of Christ Church down the river Savannah and all Waters, Creeks and Rivers within the same shall be and Continue to be called the Lower part of the said second Northwest division; and that all that part of the said second North West division lying between the said Tuckasee Kings Creek and the south West line as aforesaid to the North west line of the parish of Saint Mathew and all Waters, Creeks, and rivers within the same shall be and continue to be called the upper part of the said second North West division and that the several Male White Inhabitants, Free Negroes and Mulattoes and all Male Slaves within the said upper and Lower parts of the said Second North west division as limited as aforesaid excepting such as in the said recited Act of the General Assembly are directed to work on the Newington Road shall be and they are hereby declared to be liable to work within the said respective parts of the said Second North West division in which they shall reside, AND that the Honourable Clement Martin Esquire, John Adam Treutlin, John Gasper Wertsch Francis Arthur, and John Flerl Esquires; John Hall and Mathias West shall be and they are hereby appointed Commissioners or Surveyors of

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the Roads within the lower part of the said division and that John Goldwire, Philip Howell, and Isaac Ford Esquires William Colson and Robert Hudson shall be and they are hereby appointed Commissioners or Surveyors of the Roads within the upper part of the said division—

AND BE IT FURTHER ENACTED that the Commissioners or Surveyors herein after named be and they are hereby Authorized and impowered to lay out a Road from Horse Creek upon the North side of Great Ogechee River to the Road directed in and by the said Recited Act of the General Assembly to be Continued from Newington to the best Fording Place above the Honourable Jonathan Bryan's Cowpen on Great Ogechee River the said Road so to be laid out as aforesaid to run paralel with the said River Great Ogechee and as near the same as conveniently may be and that the said Road and all the rivers Creeks and Waters from Horse Creek to the road to be Continued from Newington as aforesaid and within six Miles of the said river Great Ogechee shall be and Continue to be called the Ogechee division, And that the several Male white Inhabitants free Negroes and Mulatoes and all Male Slaves within the Limits of the said division as aforesaid shall be and they are hereby declared to be liable to work within the said division, And that David Cutler Braddock Es-

quire

quire Mathias Zettler William Powell and John Goldwire Junior shall be and they are hereby declared to be Commissioners or Surveyors of the Roads within the same and that the said Commissioners and the said Male White Inhabitants free Negroes and Mulatoes and Male Slaves as aforesaid shall be liable to all and Singular the duties penalties fines and forfeitures required mentioned declared and Inflicted in and by the said recited Act

AND WHEREAS it appears Necessary that a New Road be laid out in Saint Johns parish to open a Communication between the upper and Lower Roads BE IT FURTHER ENACTED that the Commissioners or Surveyors of the third South West division shall be and they are hereby directed and impowered to lay out a Road from the upper road near the plantation of Richard Spencer deceased over the Bridge at Donnoms Mill to Join the Lower Road near Beach hill. AND WHEREAS the present Number of Commissioners or Surveyors of the Roads in the said third South West division is not Sufficient to do the duty within the same BE IT FURTHER ENACTED that William Dunham and John Martin Esquires shall be and they are hereby declared to be Additional Commissioners or Surveyors - - - - of the Roads in the said division

AND BE IT FURTHER ENACTED that this Act shall be and continue in force for and during

during the term of One Year and from thence to the end of the next Session of the General Assembly and no longer

By Order of the Commons House of Assembly

ALEX WYLLY SPEAKER

By Order of the upper House of Assembly.

N JONES

Council Chamber.
11th April 1768

Assented to

JA: WRIGHT

(State Archives.)

AN ACT

To impower the Commissioners therein named to put up to sale for the benefit of the Publick the Ferry over Great Ogechee River at a Place called the Pine Bluff for a term of Five Years and to Authorize the said Commissioners to Inspect and regulate the said Ferry:

Whereas

Lease Ferry Over Great Ogechee.

WHEREAS in and by an Act of the General Assembly of this province passed the 9.th day of June in the year of our Lord 1761 Intituled an Act for for Establishing a Ferry over Great Ogechee river at the place called Pine Bluff and for vesting the same in John Deveaux the Elder his Executors and administrators for the space of Six Years the said Ferry was accordingly vested in the said John Deveaux and the said Term being now expired We therefore humbly pray your most sacred Majesty that it may be Enacted AND BE IT ENACTED by his Excellency James Wright Esquire Captain General and Governor in Chief of the Province of Georgia by and with the Advice and Consent of the Honourable Council And Commons House of Assembly of the said Province in General Assembly met and by Authority of the same, that the Commissioners herein after named be and they are hereby Authorized and impowered immediately after the passing of this Act to put up to Publick Sale, and to sell the said Ferry and the rents, Issues, Profits, produce, and Ferriage, of the same to the best bidder for the term of Five Years to Commence from the day of the sale thereof the purchaser or purchasers thereof to pay one Moiety of the purchase Money at the end and expiration of One Year and the remaining Moiety at the end and expiration of Two Years from the day of such sale upon giving such security for the due payment thereof as shall be approved of by the said Commissioners

Commissioners and the said Ferry and the One Hundred Acres of Land reserved for the use thereof at Pine Bluff aforesaid together with the rents, Issues, Profits, produce, and Ferriage thereof, or arising from the same and all and singular the Buildings and improvements thereon being is and are hereby declared to be vested in such person or persons who shall and may become purchasers thereof as aforesaid, his, her, or their Executors or Administrators for and during the term of Five Years as aforesaid subject nevertheless to the several regulations herein after mentioned and the Monies arising from the sale thereof to be by the said Commissioners paid to the Treasurer and be in Aid of the General Tax—

AND WHEREAS it is absolutely necessary to erect a Brick Chimney and to under pin and make some repairs and improvements to the house now erected at the said Ferry as well as to erect a Shed upon the Causeway opposite the same BE IT ENACTED by the Authority aforesaid that the said Commissioners shall be and they are hereby Authorized and impowered to Cause to be erected a Brick Chimney to the said House and a Shed on the Causeway opposite to the same in the parish of Saint Phillip and to underpin and make such further and other repairs and alterations to the said House as to them shall appear absolutely necessary which expence shall be certifyed by the said

Commissioners

Commissioners and be provided for in the General Tax—

AND BE IT ENACTED that the person or persons purchasing the said Ferry and premisses his, her, or their Executors or Administrators shall provide and keep at the said Ferry for and during the term of Five Years as aforesaid a Good and Sufficient Ferry Boat not less than Nine feet wide and Twenty Feet Long and a good Canoe with Two or more white Servants or Two or More Slaves for the purpose of transporting all Passengers their Carriages Servants, horses and Cattle that such person or persons so purchasing his, her, or their Executors or Administrators shall and may Lawfully demand, take and receive of and from all and every person or persons passing and repassing at the said Ferry the Several and respective rates and prices herein after mentioned that is to say:

For a foot Passenger Two Pence
For a Single Horse Three Pence
For a Man and Horse Six Pence
For Neat Cattle Three Pence
If Swam, One Penny half Penny P^{r}. head.
For Calves, Hoggs and Sheep One Penny P.^{r} head.
If Swam, One half penny P^{r}. head.
For every wheel Carriage Three Pence P^{r} Wheel ALL which rates and Prices shall be paid and received from all persons and at all times

times except in times of Actual Service upon Alarms Insurrections or Invasions when the Ferriage shall be free and also except his Majesties Troops upon duty and Ministers of the Gospel and in case of failure of payment of the above rates and sums (except as before excepted) the same shall be recovered under the hand and Seal of any one Justice of the Peace according to the method prescribed in and by an Act of the General Assembly of this Province Intituled an "Act for the more easy and speedy recovery of Small debts and damages.

AND BE IT FURTHER ENACTED that the person or persons so purchasing the Ferry and premises as aforesaid his, her, or their Executors or Administrators shall keep in good and sufficient repair the several Buildings, Improvements and Fences in and upon the said One hundred Acres of Land reserved for the Ferry as aforesaid during the said Term and that it shall not be Lawfull for him, her, or them to Clear or Cause to be Cleared during the said term of Five Years more than Fifty Acres of the said Land including the quantity already Cleared and that he, she, or they, shall and will also Keep in Good and sufficient Order and repair the several Boats to be employed at the said Ferry by virtue of this Act and also the Landings on each side the river Ogechee under the penalty of Five Shillings for every day such Boats or any of them or the said Land-

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ings or either of them shall be out of repair to be recovered upon full and sufficient proof made of such default before the Commissioners herein after named or any Three of them by warrant of distress and Sale under their hands and Seals which penalty shall be to his Majesty and to be applied towards the repairs of the several Buildings belonging to the said Ferry.—

AND BE IT FURTHER ENACTED that the person or persons so purchasing the Ferry and premises as aforesaid his, her, or their Executors or Administrators and any and every person appointed by them and having the Care and Management of the said Ferry shall as well by Night as by day give constant and due attendance and if any person or persons shall be detained or delayed at the said Ferry thro the neglect or wilful default of the person or persons so purchasing or appointed to and having the Care and Management thereof the person or persons so purchasing as aforesaid his, her, or their Executors or Administrators shall forfeit and pay to such person or persons the sum of Ten Shillings for every Hour he, she, or they shall be so delayed and in proportion for any less time to be recovered by warrant under the hand and Seal of any one Justice of the Peace upon full proof of such neglect being made before him and the proceeding therein to be as directed in and by the before recited Act.

AND BE IT FURTHER ENACTED that no deputy

deputy or Agent of the post Master General travelling with any Mail or Letters nor any person sent as Express in the service of this Province shall pay any thing for passing or repassing the said Ferry but the person or persons attending the said Ferry shall forthwith and within One half hour after such deputy or Agent or person sent Express (Satisfying the Ferry Man that they are so) shall require the same (Bad weather and other unavoidable Accidents excepted) Convey such deputy or Agent or person sent express over the said Ferry on pain of Forfeiting Five pounds Sterling and in case such deputy or agent or person sent express as aforesaid shall be detained at the said Ferry the space of Twelve hours then and in such case the person or persons so purchasing the said Ferry and premises their Executors and Administrators shall over and above the said sum of Five Pounds forfeit and pay the sum of Ten Shillings for every hour after the said space of Twelve hours they shall be so delayed the said penalties and forfeitures to be recovered in any Court of Record in this Province One Moiety thereof to be to his Majesty his Heirs and Successors towards the support of the Government of this Province and the other Moiety to such deputy or Agent or person sent Express who shall Sue and prosecute for the same together with Costs of Suit.

AND BE IT FURTHER ENACTED that

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the Honourable James Habersham James Mackay and James Read Esquires John Milledge Jonathan Cochran Esquires William Maxwell and James Butler (son of Joseph Butler Esquire) be and they are hereby appointed Commissioners for Putting this Act in Execution and they or any Two of them are hereby Authorized and impowered from time to time to inspect the state of the said Ferry and the Buildings and improvements thereunto belonging and the Boats and persons by this Act directed to be employed therein and of the Landings on each side of the river Ogechee used for the said Ferry and in case of any neglect or default therein contrary to the intent and meaning of this Act to give notice thereof to the person or persons purchasing the said Ferry and premises, his, her, or their Executors or Administrators and in case such neglect or default be not remedied forthwith to proceed According to the directions of this Act and further to settle and Account with the person or persons now holding or who has or have held the said Ferry since the Ninth day of June last past being the time the lease of the same to John Deveaux deceased his Executors and Administrators expired for and touching any agreement entered into with him or them concerning the said Ferry by the Commissioners in the Act for Leasing the same named or any other person whatever.

AND BE IT FURTHER ENACTED that if any

any of the said Commissioners shall dye depart the province or refuse to Act it shall and may be Lawfull for the Governor and Council to appoint one or more Commissioner or Commissioners in the room of him or them so dying departing the Province or refusing to Act as aforesaid who shall have the same power and Authority as the Commissioners appointed in and by this Act.

By Order of the Commons House of Assembly

ALEX WYLLY Speaker

By Order of the upper House of Assembly

N JONES

Council Chamber
11th April 1768

Assented to

JA: WRIGHT.

State

(State Archives.)

AN ACT

For Continuing the several Laws therein Mentioned.

WHEREAS several wholesome Laws of this Province are near Expiring and it is expedient that they should be further Continued, We Pray your most sacred Majesty that it may be Enacted AND BE IT ENACTED by his Excellency James Wright Esquire Captain General and Governor in Chief of his Majesties Province of Georgia by and with the Advice and consent of the Honourable Council and Commons House of Assembly of the said Province in General Assembly met and by Authority of the same, That an Act passed the 6:th day of March 1766 Intituled an Act for amending an Act for regulating the pilotage of Vessels into the several Ports of this Province which was to Continue and be in force for Two Years and from thence to the end of the next Session of the General Assembly, And also an Act for raising a fund by an Impost on Shipping to defray the Expences of Keeping in repair or Rebuilding the Light House and Pilot House on Tybee Island passed the 25.th March 1765, which was to Continue and be in force for Three Years and from thence to the end of the Next Session of the General Assembly. And also An Act passed the 25.th March 1765 Intituled an Act to amend

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an Act to prevent private persons from purchasing Lands from the Indians and for preventing persons from Trading with them without License to continue and be in force for Three Years and from thence to the end of the next Session of the General Assembly. AND also an Act passed the 25th March 1765 Intituled an Act to prevent Frauds and abuses in Admeasuring and laying out of his Majesties Lands within this Province which was to Continue and be in force for Three Years and from thence to the end of the next Session of the General Assembly. Shall, Severally and respectively continue and be further in force for and during the term of One Year from the passing of this Act and from thence to the end of the next Session of the General Assembly and no Longer.

By Order of the Commons House of Assembly.

ALEX WYLLY Speaker

By Order of the upper House of Assembly—

N JONES

Council Chamber
11-th April 1768

Assented to

JA: WRIGHT.

State

(State Archives.)

AN ORDINANCE

For Appointing Inspectors of Tanned Leather for the ports of Savannah and Sunbury in this Province.

WHEREAS it is necessary to appoint proper persons to Inspect Tanned Leather that shall be exported from this Province Agreeable to an Act Intituled an Act for Granting to his Majesty a duty upon raw neat hides and for preventing the Exportation of unmerchantable Tanned Leather We therefore pray your Most sacred Majesty that it may be Ordained, AND BE IT ORDAINED by his Excellency James Wright Esquire Captain General and Governor in Chief of his Majesties Province of Georgia by and with the Advice and Consent of the Honourable Council and Commons house of Assembly of the said Province in General Assembly met and by the Authority of the same that Robert Bolton Mordecai Sheftall, and Hugh Sym, shall be and they are hereby appointed Inspectors of Tanned Leather for the port of Savannah and that John Graves, and Peter Manly shall be and they are hereby appointed Inspectors of Tanned Leather for the Port of Sunbury—

AND WHEREAS many vessels come into the Harbour of Saint Simons in this Province which

which are entered and cleared at Sunbury BE IT FURTHER ORDAINED that James Bruce shall be and he is hereby Appointed an Additional Inspector of Tanned Leather for the said port of Sunbury to do and perform the duty thereof at the Town of Frederica

AND BE IT FURTHER ORDAINED that in case of refusal to Act, Death, or departure from the Province of any of the Inspectors aforesaid it shall and may be Lawfull, during the recess of the General Assembly, to and for the Governor or Commander in Chief for the time being by and with the Advice and consent of the Honourable Council to Nomenate and appoint other Inspectors in the room of any so refusing to Act dying or departing the Province—

AND BE IT FURTHER ORDAINED that this Ordinance shall continue and be in force for and during the Term of Three years from the passing thereof and from thence to the end of the next Session of the General Assembly and no longer.

By Order of the Commons House of Assembly
ALEX WYLLY Speaker

By Order of the upper House of Assembly
N JONES

Council Chamber
11th April 1768

Assented to
JA: WRIGHT.

State

(State Archives.)

AN ORDINANCE

For Appointing Robert Nichols Esquire Comptroller and Collector of the Country Duties at the port of Sunbury in the room of Francis Lee Esquire deceased.

WHEREAS Francis Lee Esquire who by an Ordinance of the General Assembly was appointed Comptroller and Collector of the Country duties at the port of Sunbury is Deceased and it is necessary to appoint a Comptroller and Collector of the same for that port in his room, BE IT THEREFORE ORDAINED and it is hereby Ordained by his Excellency James Wright Esquire Captain General and Governor in Chief of his Majesties province of Georgia by and with the Advice and consent of the Honourable Council and the Commons House of Assembly of the said province in General Assembly met and by Authority of the same That Robert Nichols Esquire be and he is hereby declared and Ordained to be Comptroller and Collector of the Country duties that may arise and become due and payable at the port of Sunbury aforesaid in the room of the said Francis Lee Esquire and continue and remain as such to all intents and purposes whatsoever untill removed by the General Assembly aforesaid.

And

Comptroller and Collector of Sunbury.

AND BE IT FURTHER ORDAINED that in case of the refusal to Act, Death, or departure from the Province of the said Robert Nichols it shall and may be Lawfull to and for the Governor or Commander in chief for the time being by and with the Advice and Consent of the Honourable Council to appoint another person as Comptroller and Collector of the Country duties in the said port of Sunbury in the place of the said Robert Nichols during the recess of the General Assembly and untill the end of the next session thereof.

By Order of the Commons House of Assembly

ALEX WYLLY Speaker

By Order of the upper House of Assembly

N JONES

Council Chamber
11.th April 1768.

Assented to

JA: WRIGHT.

State

(State Archives.)

An act to empower the church wardens and vestry of the parish of Christ Church to enlarge the cemetery or public burial ground at Savannah, and to enforce the same.

Preamble. WHEREAS the cemetery or public burial ground for the parish of Christ Church, notwithstanding the addition made thereunto by an act of the General Assembly, passed on the seventh day of April, in the year of our Lord one thousand seven hundred and sixty-three, is apparently too small to answer the purposes thereby intended, and it appearing necessary to make an addition thereto:

Cemetery of Christ Church enlarged. *Be it therefore enacted,* That, immediately after the passing of this act, it shall and may be lawful to and for the church wardens and vestry of the parish of Christ Church aforesaid for the time being, and they are hereby authorized and empowered to lay out an addition of one hundred and seventy feet in length of and from the common of the town of Savannah, and adjoining to the eastward the present cemetery or public burial ground; and that the addition so laid out, made and extended, shall from thenceforth for ever, be and remain as part and parcel of the said cemetery or public burial ground, and that the church wardens and vestry of the

and enclosed. said parish for the time being shall be, and they are hereby empowered to enclose the same accordingly

cordingly at their discretion, any thing in any law heretofore enacted to the contrary notwithstanding.

By order of the Lower House of Assembly,

ALEXANDER WYLLY, *Speaker.*

By order of the Upper House.

N. JONES, *President.*

JAMES WRIGHT.

11th April, 1768.

(State Archives.)

AN ACT

To Amend and Continue an Act for the Establishing and Regulating Patrols and for Preventing any Person from Purchasing Provisions or any other Commodities from or Selling such, to any Slave unless such Slave shall produce a Ticket from his or her Owner, Manager or Employer,

WHEREAS by the Seventh and Ninth "Clauses of the "Act for the Establishing and "Regulating Patrols and for preventing any "person from Purchasing Provisions or any other

"other Commodities from or Selling such to "any Slave unless such Slave shall produce a "Ticket from his or her Owner Manager or "Employer" do Refer to the Act of the General Assembly of this Province Intitled "An Act for "the better Governing Negroes and other Slaves "in this Province, and to prevent the Inveigh- "ling or Carrying away Slaves from their Mas- "ters or Employers" of which Act his Majesty hath declared his Royal Disallowance and the Several directions therein Contained and to which the said first Recited Act doth Refer, are thereby annulled and of Non Effect by which means many Inconveniences have arisen, to Remedy which we pray your most Sacred Majesty that it may be Enacted, AND BE IT ENACTED by his Excellency James Wright Esquire Captain General and Governor in Chief of his Majestys Province of Georgia, by and with the advice and Consent of the Honourable Council and Commons House of Assembly of the said Province in General Assembly met and by the authority of the same that Immediately from and after Passing of this Act it shall not be Lawfull for any Slave, unless in the Presence of some white person to Carry and make use of Fire Arms or any Offensive Weapon whatsoever, unless such Slave shall have a Ticket or License in Writing from his Master Mistress or Overseer to Hunt and Kill Game Cattle or Mischievous Birds or Birds of Prey, and that such License be Renewed once every week unless

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there be some white person of the Age of Sixteen Years or Upwards in the Company of such Slave when he is Hunting or Shooting, or that such Slave be Actually Carrying his Masters Arms to or from his Masters Plantation by a Special Ticket for that purpose or unless such Slave be found in the day time Actually keeping off birds within the Plantation to which such Slave belongs Lodging the same Gun at Night within the dwelling House of his Master Mistress or white Overseer, PROVIDED always that no Slave shall have Liberty to Carry any Gun Cutlass Pistol or other Offensive Weapon abroad at any time between Saturday Evening after Sun Set and Monday Morning before Sun Rise Notwithstanding a License or Ticket for so doing,—

AND BE IT FURTHER ENACTED that in Case any or either of the Patrols established or to be established within this Province by virtue of the said Act on Searching and examining any Negroe house for Offensive Weapons Fire Arms and Ammunition shall find any such or in Case any person shall find any Slave using or Carrying fire Arms or other Offensive Weapons Contrary to the intent and meaning of this Act such Patrol or person or persons may lawfully seize and take away such Offensive Weapon fire Arms and Ammunition but before the property thereof shall be vested in the person or persons who shall seize the same such person or persons

shall

shall within three days next after such seizure go before a Justice of the peace and shall make Oath of the manner of taking thereof and if such Justice of the peace after such Oath made or upon due Examination shall be Satisfied that the said Fire Arms Offensive Weapon or Ammunition shall have been Seized according to the directions and Agreeable to the true intent and meaning of this Act the said Justice shall by Certificate under his hand and Seal declare them forfeited and that the property is lawfully vested in the person or persons who Seized the same PROVIDED always that no such Certificate shall be granted by any Justice of the peace until the Owner or Owners of such Fire Arms or other Offensive Weapon so seized as aforesaid or the Overseer or Overseers who shall or may have the Charge of such Slave or Slaves from whom such Fire Arms or other Offensive Weapon so taken or seized shall be duly Summoned to shew Cause why the same should not be Condemned as forfeited or in Case of Non Appearance untill three days after the Service of Summons and Oath made of the Service thereof before the said Justice,

AND BE IT FURTHER ENACTED that the forfeiture declared in the tenth Clause of the said Act in Cases of persons dealing with Slaves shall not extend or be Construed to extend to prevent any Slave or Slaves who live or are usually employed in Savannah or other Towns hav-

ing

ing License so to do from his her or their Owner Manager or Employer from buying or Selling of Fruit Fish and Garden Stuff and to be employed as porters Carters or Fishermen or from purchasing any thing for the use of their Owner Manager or Employer in any open Shop kept by a White person in open Market under such Regulations as are or shall be by Law appointed concerning the Market of Savannah,

AND BE IT FURTHER ENACTED that if any Retailer of Strong Liquors, or any other person or persons shall give or Sell to any Slave any Beer or Spirituous Liquor whatsoever without the License or Consent of the Owner or such other person who shall have the Care or Government of such Slave every person so offending shall forfeit the Sum of five Pounds Sterling money for the first Offence, and for the second Offence ten Pounds Sterling and shall be bound in a Recognizance in the Sum of twenty Pounds Sterling with one or more Sufficient Sureties before any of the Justices, of the peace not to Offend in the like kind, and to be of good behaviour for one Year, and for want of such Sufficient Sureties, to be Committed to Prison without Bail or Mainprize for a term not exceeding three Months,

AND WHEREAS it may be difficult to procure Sufficient Evidence for the Conviction of such Offenders as may transgress against this

part

part of the Law, BE IT FURTHER ENACTED that in Case any Slave or Slaves shall declare before any two or more Justices of the Peace, of the Probability of which declaration such Justices are hereby allowed to judge, that any person whatsoever shall so offend it shall be taken for granted that such persons is Guilty of such Offence, and such person shall be liable to the Several penalties above mentioned, unless such person shall upon Oath before such Justices declare he or she is not Guilty of such Offence, which said Oath the said Justices are hereby empowered to tender,

AND WHEREAS it has been found that the Number of persons exempted in and by the fourth Clause in the said Act from the Patrol duty, Renders the said duty very Burthensome upon the Inhabitants in the Town of Savannah who are by Law Obliged to perform the same, BE IT THEREFORE ENACTED that the said fourth Clause shall not extend or be Construed to extend to exempt the Several persons therein mentioned being above the age of Sixteen and Under the Age of Sixty and Residing in the Town of Savannah or Hamlets of Yamacraw, Ewensburgh and the Trustees Gardens; the Governor or Commander in Chief for the time being, and Ministers of the Gospel only excepted, from being Subject to such Patrol duty in the said Town of Savannah and Hamlets aforesaid in the same manner and liable to the

same penalties and forfeitures as in and by the said Recited Act is Particularly Mentioned and declared,

AND in Order to prevent Nightly disorders and Riots in the Town of Savannah BE IT FURTHER ENACTED that every Patrol appointed and to be appointed to do duty in the said Town by virtue of the said Act shall be and they are hereby Impowered in Case of any Riot or disturbance being made by any disorderly white person or persons either in the Streets Squares or Lanes of the said Town or in any Tippling House Tavern or Punch House within the same or within the district of the said Patroll (Calling Nevertheless a Lawful Constable to their Assistance before they shall enter such Tippling House Tavern or punch House, to apprehend and take into Custody such white person or persons and him or them Safely to keep until the next Morning, except such person or persons shall be apprehended and taken in any such Tippling House Tavern or Punch House in which Case the Constable so called to the Assistance of such Patrol shall Continue in the Charge of such Offender or Offenders, when such Patrol or Patrols shall deliver such Offender or Offenders to the Custody or Charge of Some one of the Constables appointed for the said Town, who are hereby directed to take Charge of such Offender or Offenders and Convey him or them at or be-

fore

fore the hour of Nine in the forenoon of the same day to some one of the Justices of the said Town who upon proof of such Offence shall and he is hereby Impowered to Inflict a fine not exceeding ten Shillings upon such Offender or Offenders, to be Recovered by warrant under the Hand and Seal of such Justice and applied one half to the Patrol who shall apprehend and the other half to the Constable having Charge of such Offender or Offenders,

AND BE IT FURTHER ENACTED that the said before Recited Act, and this Act shall Continue and be in force for and during the term of One Year and from thence to the End of the next Session of the General Assembly and no longer, any thing in the said Recited Act to the Contrary thereof Notwithstanding;

By Order of the Commons House of Assembly

N W JONES Speaker

By Order of the upper House

JAMES HABERSHAM President

Council Chamber
24th December 1768

Assented to

JA: WRIGHT.

State

New Light House on Tybee.

(State Archives.)

AN ACT.

To impower the Commissioners appointed in and by An Act of the General Assembly Intitled "An Act for Laying a Duty upon "Negroes and other Slaves that have been above "Six Months in any of the Islands or Colonies "in America & imported for Sale in this Prov-"ince & for appropriating the same towards "the Repairing or Rebuilding the Light "House on Tybee Island & to Prevent Negroe "Convicts being imported into & Sold in this "Province" To Build a New Light House on any part of the Land Reserved for the use thereof upon the said Island & also for Procuring an Accurate Survey & Chart of the Sea Coasts & Inlets of this Province and publishing the same and for Granting to his Majesty the sum of two thousand two hundred pounds for the said purposes & for appointing and impowering Commissioners to Issue Certificates for that sum & for Sinking the same and for further Continuing the Acts herein aftermentioned.—

WHEREAS the Ruinous Condition of the Present Light House upn Tybee Island, occasions frequent and expensive Repairs, And it being Judged expedient to build the same on a more Advantageous Spot and where the foundation will be Secure from the Violence of the Sea We

We therefore pray your most Sacred Majesty that It may be Enacted: AND BE IT ENACTED by his Excellency James Wright Esquire Captain General Governor and Commander in Chief of the said Province by and with the Advice and Consent of the Honourable Council & Commons House of Assembly in General Assembly met and by the Authority of the same that immediately from and after the passing of this Act the Several Commissioners named in and by an Act of the General Assembly of this Province Intitled "An Act for Laying a Duty "upon Negroes and other Slaves that have "been above Six Months in any of the Islands "or Colonies in America and imported for Sale "in this Province and for Appropriating the "same towards the Repairing or Rebuilding the "Light House on Tybee Island and to prevent "Negroe Convicts being imported into and Sold "in this Province" shall be and they are hereby Authorized and impowered to Contract for Building a New Light House upon any part of the Land Reserved upon the Island of Tybee for the use of the same which they or the Majority of them shall Judge the most Convenient for that purpose according to the powers Vested in them in and by the said Act. —

AND Forasmuch as the monies now in the Hands of the Treasurer arising from the Imposts on Shipping and Duty on Seasoned Slaves are at this time insufficient to defray the Ex-

pences

pences of Building the said Light House. AND WHEREAS it may be Necessary to Secure the Sea Marks for coming in over the Bar of Tybee. And as an Accurate Survey and Chart of the Sea Coasts and Inlets with directions for Sailing therein will be of the Greatest Utility to the Commerce of this Province. — N J

BE IT THEREFORE ENACTED That a Sum not exceeding two thousand two hundred pounds be Granted to his Majesty for the purposes herein after mentioned That is to say a Sum not exceeding two thousand pounds for Building the said Light House and Securing the Sea Marks and a sum not exceeding two hundred pounds for making a Complete Survey and Draught of the Sea Coasts from the River S^{t}. Tuans in East Florida to the Bar of Port Royal in South Carolina AND the Commissioners for Building the said Light house are hereby authorized to cause the said Survey and Chart of the Sea Coasts to be duly and justly made & published in the Books of Sea Charts usually made use of in Great Britain. AND the said Commissioners are also hereby impowered to cause the said Sea Marks to be Secured or Repaired as may appear to them Necessary. —

AND BE IT FURTHER ENACTED that immediately from and after Passing of this Act it shall and may be Lawful to and for the Commissioners herein after named and they are

hereby

hereby authorized and impowered to Stamp Imprint and Sign paper Certificates to the amount of the said Sum of two thousand two hundred pounds in Bills of one pound each which Certificate shall be of the tenour and in the words and figures following & with such Device as the said Commissioners shall think Proper Viz^{t}:

N J

This Certificate of one pound Sterling due from his Majesty's Province of Georgia for Rebuilding the Light House on Tybee Island shall pass Current and be taken in all payments to the Treasurer of this Province until the first day of May in the Year of our Lord one thousand Seven hundred and Seventy two and no Longer Dated the Day of Anno Domini 176

AND BE IT FURTHER ENACTED that the Honourable Noble Jones & Grey Elliott Esquires The Honourable Noble Wimberly Jones Esquire, John Milledge & John Smith Esquires shall be and they are hereby Nominated and appointed Commissioners for Stamping Imprinting and Signing the Certificates aforesaid according to the true Intent and meaning of this Act. —

AND BE IT FURTHER ENACTED that the said Commissioners shall pay into the Hands of the Treasurer of this Province the said sum of two thousand two hundred Pounds first deducting the Expence of Imprinting the same, and the

the said Treasurer is hereby Directed to pay the same to and for the purpose Directed by this Act, upon an Order of the Governor and Council for the time being as directed by the Eighth Clause of the said Recited Act of the General Assembly, First defraying the Necessary Expences of the Commissioners in that Act Nominated and appointed in Viewing and inspecting the said Light House from time to time during the Building thereof. —

AND BE IT FURTHER ENACTED that the said sum of two thousand two Hundred pounds Granted to his Majesty by this Act for the purposes aforesaid shall be sunk in three Years by the monies paid into the Treasurers Hands & Arising from the impost upon Shipping and by the Duties Penalties & forfeitures Imposed & Inflicted in and by the Act herein before Recited & in case the monies arising from the said impost on Shipping & the said Duties, penalties and forfeitures shall not be sufficient wholly to sink the same within the Term of three Years as aforesaid then the Defficiency to be Provided for and Raised by the General Tax.

AND BE IT FURTHER ENACTED that if any person or persons whatsoever shall Forge or Counterfeit any of the Certificates by this Act directed to be Stamped and imprinted or shall utter or pass any such forged or counterfeited Certificates knowing the same to be so,

or

or shall Counsel Advise Procure or Assist in anywise in the forging Counterfeiting Stamping Imprinting or Signing any such forged or Counterfeit Certificate such Offender or Offenders being duly Convicted thereof shall be adjudged Guilty of Felony without Benefit of Clergy.—

AND BE IT FURTHER ENACTED That the Act Intitled "An Act for Laying a Duty "upon Negroes and other Slaves that have been "above Six Months in any of the Islands or "Colonies in America and imported for Sale in "this Province & for Appropriating the same "towards the Repairing or Rebuilding the Light "House on Tybee Island & to Prevent Negroe "Convicts being imported into and Sold in this "Province." And the Act Intitled "An Act for "Raising a Fund by an Impost on Shipping to "defray the Expences of Keeping in Repair or "Rebuilding the Light House and Pilot House "on Tybee Island," shall further Continue and be in force to the first day of May in the Year of our Lord one thousand Seven hundred and Seventy two and from thence to the end of the next Session of the General Asssmbly or untill the said Sum of two thousand two hundred Pounds Granted to his Majesty by this Act shall be fully Raised and Sunk by the duties forfeitures and penalties Contained in the said Recited Acts; anything therein Contained to the Contrary Notwithstanding.—

And

AND the Treasurer is hereby Authorized and impowered to apply the Monies Arising and to arise from the said Duties and Impost Yearly and every Year in Aid of the Publick Tax untill the Defficiency in the said sum of two thousand two hundred pounds to be Provided for and Raised by the General Tax as aforesaid pursuant to this Act shall be fully Raised and Repaid thereby as aforesaid.—

By order of the Commons House of Assembly

NW JONES Speaker

By Order of the upper House

JAMES HABERSHAM President

Council Chamber

24.th December 1768

Assented to

JA: WRIGHT.

(State Archives.)

AN ACT

For Encouraging the Cultivation of Hemp Flax and wheat and for Regulating the Inspection of Hemp Flax and wheat Flour.—

WHEREAS it is evident that the Cultivation of Hemp Flax and wheat may be carried on to Great

Great Advantage in this Province it is therefore highly becoming the Legislature to encourage as much as in them Lies such Cultivation WE therefore Pray your most Sacred Majesty that it may be Enacted AND BE IT ENACTED by his Excellency James Wright Esquire Captain General and Governor in Chief of his Majestys Province of GEORGIA by and with the Advice and Consent of the Honourable Council & Commons House of Assembly of the said Province in General Assembly met and by the Authority of the same that the Treasurer of this Province be and he is hereby Authorized and impowered from and out of the monies arising from the General tax to be Provided for that purpose to pay the following Sums as a Bounty for the encouragement of the Culture of Hemp Flax and wheat Flour being the Growth Produce and Manufacture of this Province (that is to say) for every parcel of Merchantable Hemp Flax and wheat Flour which shall be made in and brought to Market to any of the ports of this Province from and after the first day of May next ensuing at & after the following Rates

For every hundred pounds weight of well cured & Clean dressed Hemp ten Shillings, For every hundred pounds weight of Clean dressed Flax Seven Shillings and Six pence, For every hundred pounds weight of good Merchantable Wheat Flour two Shillings.—

AND BE IT FURTHER ENACTED That the

the Governor and Council shall give an Order for the said Several sums and Bounties to be paid by the Treasurer upon a Certificate under the Hand and Seal of any Justice of Peace of the parish where the said Hemp & Flax were cultivated & the said Flour shall be Ground & packed that the person or persons Raising Grinding & packing the same did make Oath before such Magistrate as the case may be that the said Hemp and Flax was Raised and Cultivated or that the said Flour was made wholly of Wheat of the Growth of this Province and was Ground Bolted and packed within the same & a Certificate Subjoined by the Inspector or Inspectors to be hereafter named by Ordinance of the General Assembly that the same is good and Merchantable & Clean dressed or well packed.

AND BE IT FURTHER ENACTED That the said Inspector and Inspectors of Flour shall have and use a Brand with the word Georgia at full Length & underneath the name of such Inspector at full Length and shall Brand every Barrel of Flour by such Inspector deemed Merchantable on the Head thereof and that it shall and may be Lawful for such Inspectors and they are hereby authorized Respectively to take and Receive three pence for every hundred pounds weight of Hemp or Flax and three pence for every Barrel of Flour by them Inspected and Certified to be paid by the person or persons Requiring the Inspection thereof.—

And

AND BE IT FURTHER ENACTED that such persons as shall be Appointed Inspectors of Hemp Flax and Flour by Ordinance as aforesaid shall and they are hereby directed before they enter into the Execution of their Office Severally and Respectively to take the following Oath before a Justice of the Peace in the Parish where such Inspector shall Reside who shall Grant such Inspector a Certificate thereof to wit. I A B "do Swear that I will Faithfully "& Impartially execute the Business and duty "of Inspector of Hemp and Flax (or of Flour "as the case may be) to the best of my Skill & "Judgment without favour or Prejudice & without any Delay Agreeable to an Act of the General Assembly of this Province Intitled An "Act for Encouraging the Cultivation of Hemp Flax and wheat & for Regulating the Inspection of Hemp Flax and wheat Flour &c.

AND BE IT FURTHER ENACTED that if any Inspector shall intentionally Certify that any Hemp or Flax is Clean made & Merchantable or Certify that any Flour by him branded is Merchantable which shall in Fact not be so such Inspector shall forfeit and pay the sum of Twenty Shillings for every hundred pounds weight of Hemp. Fifteen shillings for every hundred pounds weight of Flax and Eight Shillings for every Barrel of Flour for which such Certificates shall be given to be Recovered by Warrant of any two Justices of the peace in the

parish

parish where such Offence shall be Committed upon Sufficient Proof thereof being made before them & to be applied One half to the Informer & the other half to be paid to the Treasurer & be applied in Aid of the Publick Tax for that Year.—

AND BE IT FURTHER ENACTED that this Act shall Continue and be in Force for and during the Term of four Years from the passing thereof and no Longer.—

By order of the Commons House of Assembly

NW JONES Speaker

By Order of the upper House

JAMES HABERSHAM President

Council Chamber
24.th December 1768.

Assented to

JA: WRIGHT.

(State Archives.)

An act for amending an act, entitled "An act to prevent frauds and deceits in selling beef, pork, pitch, tar, turpentine and firewood."

1. WHEREAS, the act of the General Assembly

Preamble.

sembly passed the sixth day of March, in the year of our Lord, one thousand seven hundred and sixty-five, entitled "An act to prevent frauds and deceits in selling beef and pork, pitch, tar, turpentine and firewood, is found to be deficient in respect of the regulations therein directed, as to the packing and inspecting beef, and pork, for remedy whereof, *Be it enacted,* That from and after the first day of May next ensuing, every barrel in which beef, or pork, shall be packed and exposed for sale in this province, shall contain and gauge thirty-two gallons, and be made of seasoned timber, as directed by the said recited act, and shall have on each barrel, not less than twelve sound and sufficient hoops.

Barrels of beef and pork to contain thirty-two gallons.

2. *And be it further enacted,* That from and after the said first day of May, every barrel of beef, or pork, packed and sold in the province, shall contain two hundred and twenty pounds weight, of wholesome well cured meat in the same, after being salted at least ten days, and carefully packed with a sufficient quantity of dry salt, and well pickled, and not more than one shank, half the neck, and no head, in each barrel of beef, and not more than two heads in each barrel of pork.

And shall weigh two hundred and twenty pounds, &c.

3. *And be it further enacted,* That the brands to be used by the several packers and inspectors, according to the directions of the said act, shall have the name of the parish where the beef or pork

And be branded with the name of the parish, & of the inspectors at full length.

pork is inspected under that of the province, and also the names of the inspectors at full length; and such inspectors and packers are hereby directed to furnish themselves with such brands, and to brand the several barrels of beef and pork by them inspected, on the head, according to the directions of, and under the penalty in the said act mentioned and inflicted.

Continuation of this act.

4. *And be it further enacted,* That the before recited act, and this act, shall continue and be in force for and during the term of three years, and from thence to the end of the then next session of the general assembly, and no longer, any thing contained in the said recited act to the contrary notwithstanding.

By order of the Commons House of Assembly.

NOBLE W. JONES, *Speaker.*

By order of the Upper House.

JAMES HABERSHAM, *President.*

Council Chamber, 24th December, 1768.

Assented to. JAMES WRIGHT.

State

(State Archives.)

*An act to prevent fraudulent mortgages and conveyances, and for making valid all deeds and conveyances heretofore made, with respect to any defect in the form and manner of making thereof, with certain restrictions.**

Preamble.

1. WHEREAS notorious frauds have been committed by evil disposed and designing persons, who frequently mortgage and borrow money on securing of lands and slaves, having before conveyed, sold, or mortgaged the same, and the recording of all deeds and conveyances of lands, tenements, negroes, and other chattels, will greatly tend to the securing the titles of the proprietors or mortgagees, and prevent such frauds for the future, BE IT THEREFORE ENACTED, That all and every deed and deeds of sale, mortgages or conveyances of any lands, tenements, negroes or other goods and chattels, heretofore made in this province, and which shall be recorded in the secretary's office of this province, within six months after the passing of this act, except such as have been made and executed in any of the British islands, or in any other of the colonies on the continent of North America, which shall be recorded within nine months, and except also such as have been made

Deeds of sale, &c. of land or negroes to be recorded in the secretary's office in ten days.

*See act of 1785 directing the recording of deeds, &c. sec. 2.

and

and executed in Great-Britain or Ireland, which shall be recorded within twelve months; and all deeds of sale, mortgages, conveyances, made and executed within this province, from and after the first day of January next ensuing, being recorded as aforesaid, within ten days after the execution thereof, shall be deemed, held and taken as the first deed of sale, mortgage, or conveyance, and shall be allowed, adjudged and held valid in all courts of judicature within this province, any former or other sale, mortgage or conveyance, being of the same lands, tenements, negroes, and other goods, and chattels, and not recorded as aforesaid, notwithstanding.

Method of proceeding where there are more mortgages than one.

2. PROVIDED ALWAYS, AND BE IT FURTHER ENACTED, That nevertheless if it shall so happen there be more than one mortgage at the same time, made by any person or persons, to any person or persons, of the same lands and tenements, negroes, goods or chattels, the several late or under mortgagees, who shall have recorded their mortgages, his, her, their heirs, executors, administrators, or assigns, shall have power to redeem any former mortgage or mortgages, recorded as aforesaid upon payment of the principal debt, interest and cost of suit, to the prior mortgagee or mortgagees, his, her or their heirs, executors, administrators or assigns, any thing contained to the contrary thereof in any wise notwithstanding; and all and every person and persons who shall mortgage the same

lands,

lands, tenements, negroes, goods or chattels a second time, the former mortgage thereof being in force and not discharged, and shall not discover to the second mortgagee in writing under his or their hands, shall have no relief, power, or liberty of redemption whatsoever, in equity or otherwise, of and in said after mortgage or mortgages.

Widow's dower not barred in mortgaged lands, unless legally relinquished.

3. PROVIDED, ALSO, AND BE IT FURTHER ENACTED, That nothing in this act contained shall be construed, deemed or extended to bar any widow of any mortgager of lands or tenements, from her dower and right in and to the said lands or tenements, who did not legally join with her husband in such mortgage, or otherwise lawfully bar or exclude herself from such her dower or right.

Formal defects in deeds, remedied.

4. And to the end that no person may hereafter suffer any inconvenience in recording their title deeds, by exposing the defects thereof, BE IT FURTHER ENACTED AND DECLARED, That no need of feoffment, bargain and sale, deed of gift, or other conveyance, of any lands or tenements whatsoever, heretofore made, shall be impeached or set aside in any courts of law or equity for want of attornment, or livery and seisin, or enrolment, or for that such conveyance hath been made by way of assignment or endorsement on any other deed or conveyance without other ceremony, nor for any other defect

fect in the former or in the manner of the execution of any such deeds or conveyances, or of the endorsements or assignments thereof, either in the first deed, or in any of the mesne conveyances derived therefrom: PROVIDED NEVERTHELESS, That in case of the validity of such feoffment, bargain and sale, deed of gift, or other conveyance of lands of tenements, shall be questioned, the legal and usual proofs shall be made that the rights were and would have been in the person or persons conveying, if such defects had not happened in the form of such deeds or conveyances, or in the manner of the execution of the same as aforesaid. Proviso.

5. AND BE IT FURTHER ENACTED, That this act shall continue and be in force for and during the term of three years from and after the passing thereof, and from thence to the end of the next session of the General Assembly, and no longer.* Continuation.

N. W. JONES, *Speaker.*

JAMES HABERSHAM, *President.*

JAMES WRIGHT.

December 24, 1768.

*Continued by act of 1784.

State

(State Archives.)

AN ACT

*For Granting to his Majesty the Sum of three thousand and forty Six Pounds Sixteen Shillings and Eight pence One Farthing for the Use and Support of the Government of Georgia for the year One Thousand Seven Hundred and *Seventy Nine, to be raised at certain rates and after The Method therein mentioned and for the more Effectual Collecting of Arrears.*

Title

Preamble

WE his Majesty's most Dutifull and Loyal Subjects the Commons House of Assembly of Georgia taking into our Consideration the Expences necessary towards the Support of this Government for the Present Year & having resolved to Supply the Same do by this Act, Chearfully and Voluntarily give and Grant unto his Majesty the Sum of three thousand and forty Six Pounds Sixteen Shillings and Eight pence One Farthing to be raised Levied & paid in the Manner and for the Purpposes herein after in this Act Mentioned and we do therefore Humbly Pray Your most Sacred Majesty that it may be

Enacted

Enacted AND BE IT ENACTED by his Excellency James Wright Esquire Captain General and Govener in Chief of this his Majesty's Province of Georgia by & with the Advice & Consent of the Honourable Council and Commons House of Assembly of the said province in General Assembly Met and by the Authority of the same

*Error in original Act.

same that the Sum of Three thousand & forty Six pounds Sixteen Shillings and Eight pence One Farthing shall be raised Levied and paid within the Space of One Year from the twenty ninth day of September One thousand Seven Hundred & Sixty Eight and is hereby Granted to his Majesty for the Use and Support of this Government in the manner as is herein after mentioned & Directed And be it further Enacted That towards raising the said Sum of Three thousand and forty Six pounds Sixteen Shillings & Eight pence One farthing the Several rates and Sums following Shall be rated and Assessed as herein after Mentioned that is to Say the Sum of two Shillings on every hundred Acres of Land in this Province holden and possessed by Grant or Warrant by any Person or Persons Whatsoever the Sum of Six Shillings on every hundred pounds Value on all Lots in the Town of Savannah Ebenezer Augusta Frederica and Sunbury Wharf Lots and Lots Laid Out on Lands commonly called Yammacraw the Trustees Gardens and Ewensburgh the Sum of four Shillings on every hundred pounds Value of Building & Improvements on the said Lots, the Sum of two Shillings on every Negroe or other Slave Whatsoever being within the Limits of this Province, The Sum of Fifteen Shillings on every Free Negroe Mulatto or Mustee above the Age of Sixteen Years. The Sum of Six Shillings on every hundred pounds Value of all Goods Wares & Merchandize Imported in this Province

That £3046" 16" 8 1/4 be raised for the Support of Government for one year from 29th. Septr. 1768.

That the said Sum be raised by a Tax of

2/ on every 100 Acres of Land.

6/ on every £100 value on all Lots in the Towns named.

4/ on every £100 improvements thereon.

2/ on Slaves.

15/ on every free Negro &c.

6/ on every £100 value of merchandize.

ince with Intent to Sell again by any Merchant Factor Store Keeper or Other person Whatsoever to be rated at the price thereof as imported (Goods wares and Merchandize Imported by Transient persons Only excepted) The Sum of Ten Shillings on every Hundred pounds Let or Lying at Interest by Choice, And be it further Enacted That all and every person and persons What soever having any Estate or Interest in Lands Tenements Goods or Chattels within this Province shall on or Before the first Tuesday in March after the passing of This Act render a particular account in Writing upon Oath, or Affirmation if a Quaker (to the best of his her or their Knowledge) unto the Collectors of the Several Parishes where he she or they shall respectively reside of all Lands Lots Houses Slaves Monies at Interest Goods and Effects Whatsoever whereof he She or they is or are Seized or Possessed or Interested in liable by this Act to the rates and Taxes aforesaid and Where Situate and being Of all Deer Skins & beaver Skins by him her or them Exported or Sent out of this Province Except in Ships bound to Great Brittain at such time and Place as the Collectors herein after Named shall respectively direct and Appoint who are hereby Required to give at Least thirty Days Notice thereof by Publick Advertisement, Specifying the Several rates aforesaid & all and every the said person and persons so giving an Account as aforesaid shall at the same time pay to the said

And 10/ on every £100 lyeing at Interest by choice.

That all persons interested before the First Tuesday in May do render an account upon Oath to the Collectors &c.

they giving 30 days notice by publick advertisement.

And at the same time pay their Tax.

Collectors

Collectors The Several sums and Taxes due from him her or them there upon as by this Act rated and Assessed.

AND BE IT FURTHER ENACTED that the said Colectors respectively shall and they are hereby required to Administer the Oath following to all and every Person & Persons at the time of receiving his her or their Account first entering such Accounts in the List or Schedule agreeable to the form to this Act Annexed whereto the persons so paying their Tax shall respectively subscribe there Names in the Column of the said Schedule for this Purpose assigned I A B. Do Solemnly Swear or Affirm as the case may be in the presence of Almighty God that the account now by me giving and Delivered to the Colectors of the Publick Tax doth contain a just true and particular account of all The Lands Town Lots houses and Slaves whereof I am in any wise Seized possessed intitled unto or interested in either in my own Right or as Attorney Guardian Executor or Administrator or trustee to any other person or persons Whatsoever & of the Amount of the Prime Costs of all Goods wares and Merchandize by me Imported with Intent to Sell again or Consigned to me for Sale on Commission & of all Deer Skins & Beaver Skins by me Exported or Sent out of this province Except in Ships Bound to Great Britain from the first day of April One thousand Seven Hundred & Sixty Eight Exclusive to the

The Collectors to administer an Oath to all persons on receiving their account.

The Oath.

first

first day of March One thousand Seven Hundred and Sixty Nine Inclusive (the produce of this province and Goods Exported as a Remittance only Excepted) and also of all Monies let or Lying at Interest by Choice in this Province either in my own Right or in the Right of any other person or persons Whatsoever, So help me God.

That every person or persons liable to pay Tax are to produce a receipt for the last years or make Oath that they have paid the same and every former year.

AND BE IT FURTHER ENACTED that for the more Effectual recovery of the Arrears of the Last and Every Preceeding Years Tax all & every the said person & persons hereby liable to the payment of the Tax by this Act imposed shall at the time of giving in his her or their Account as herein before required produce to the Colector or Colectors a Receipt for the last Years Tax or Otherwise Declare upon Oath or Affirmation (as the Case Shall be) which the Colectors hereby appointed are Severally and respectively Authorized and required to Administer that he she or they Hath or have paid the Publick Tax for the Last and every preceeding Year Agreeable to the rates thereof and in Case such person or persons shall be in Arrears for the Last or any preceeding Years Tax he she or they shall then give an account thereof upon Oath & pay the same to the Collectors accordingly in failure whereof the same shall & may be Rated Assessed & Levied as herein after provided.

And if such be in arrear they are to give an account upon Oath and pay the same accordingly.

AND BE IT FURTHER ENACTED that in Case any person or persons who shall give an account of their

their Lands Slaves and Effects as herein before required and shall not at the same time pay the Tax thereupon due from him her or them as herein before directed or Within Sixty days after such account by him her or them so given that then it shall and May be Lawfull to & for the Several Collectors & they are hereby respectively required to Cause the same to be Levied in Manner as herein Aftermentioned.

That persons giving an account of their Tax and not paying at the Same time or within 60 days the Collectors may Levy.

And be it further Enacted that if any person or persons Whatsoever shall neglect or Refuse to give an account of their respective Lands Lots houses Slaves monies let or lying at Interest by Choice Goods & Effects as aforesaid at the time and in the manner as by this Act is herein before Directed the Collectors respectively & either of them shall and they are hereby Severally authorized & required within Ten days after the said first Tuesday in March to rate and Assess every such Defaulter & Defaulters Double the Tax which he She or they shall have paid for the Last Year or to the best of his And their Knowledge for Double the Estate which he She or they shall Possess and in either Case shall cause the same to be Levied as herein after is directed And to prevent Free Mulattoes from evading the payment of the Tax by pretending to be Spaniards or Other Foreigners.

Persons who shall refuse to give an account of their Lands Lotts &c.

The Collectors are required within 10 days after the first Tuesday in March to assess them in double Tax.

reputed Mulattoes to pay Tax unless they can prove the Contrary.

Be it further Enacted that every such person who Shall be reputed a Mulatto shall be assessed as such Unless he can prove the Contrary.

And

That the Tax be levied on the Goods and Chattels of defaulters by Warrant of distress from the Collectors.

AND BE IT FURTHER ENACTED that the Several Rates and Taxes hereby rated and imposed Shall be Levied on the Goods and Chattels of the Defaulter and Defaulters by warrant Under the hand & Seal of the Collector or Collectors of the Parish wherein such Defaulter or Defaulters shall reside to be Directed to any Constable or Constables thereof requiring him her or them to Levy the Same by Distress and Sale of the Defaulter or Defaulters Goods & Chattels returning to him or them the Overplus if any after deducting the Charges Following

The charge to be levied by defaulters.

viz^{t}: for Serving every warrant of Execution One Shilling One Shilling in the pound of every pound Levied & two pence for every Mile to be Computed from the Dwelling house of the Constable. Leviing the same to the place of Residence of every Such Defaulter or Defaulters & the Collectors respectively shall and may take

Constables refusing to do their Duty to forfeit £5.

One Shilling & Six pence for every Such warrant & every Constable refusing or neglecting to Execute such Warrant shall for every Offence

—to be recovered by Warrant of distress.

forfeit and pay the Sum of Five pounds to be recovered by warrant of Distress of any Justice of the peace where the Offence shall be Commit-

And in case of no goods the Offender to be committed to Goal.

ted on due proof thereof Made before him by any Collector or Collectors & in Case no Goods or Chattels of such Offender may be found whereon the said Distress may be Levied then it Shall and may be lawfull for such Justice of the peace to Commit such Offender to the Common Goal in Savannah there to remain for the

Space

Space of Three Months or until the said sum of five pounds shall be Satisfied, And be it further Enacted that the Several persons herein after named shall be and they are hereby appointed Collectors for the Several Parishes herein after mentioned respectively that is to Say for the Town Of Savannah and Parish of Christ Church William Belcher Esquire Robert Bolton and Richard Wylly, For the Town of Ebenezer & Parish of Saint Matthew Francis Arthur Esquire Jacob Cronbergher and Jacob Walthow For Halifax & Parish of Saint George John Thomas Junior Andrew McCorrie and John Mann Esquires For the Town of Augusta and Parish of Saint Paul John Walton Esquire William Goodgion & Robert Germany For the Parish of Saint Philip William Le Conte & John Davis Esquires For the Town of Sunbury & the Parish of Saint John Edward Jones Samuel Jones & Thomas Young For Darien & Parish of Saint Andrew Thomas Quarterman Hugh Clark & James M^{c}. Cleland For the Town of Frederica & Parish of St. James John Polson & John Martin son of Clement Martin Esquires For the Parish of Saint David Saint Patrick Saint Thomas & Saint Marys John Grayson John Simpson Junior William Clark Jacob Helvenstine & James Cochran which said Collectors respectively shall before their Entering upon their Office take the Oath Following before any Justice of the Peace for the Parish where they shall reside that is to Say I. A B. do Solemnly Swear that I will well & faithfully

Collectors for Savannah & Christ Church parish named.

For Ebenezer & St. Matthew.

For Halifax & St. George.

For Augusta & St. Paul.

For St. Philips.

For Sunbury & St. John.

For Darien & St. Andrew.

For Frederica & St. James.

For St. David, St. Patrick St. Thomas & St. Mary.

The sd. Collectors before entering upon Office to take an Oath.

The Oath.

faithfully according to the Best of my Knowledge & Ability and So that the Publick Tax shall Susstain no Loss or Damage from any Willfull Neglect or Omission of Mine Observe Execute and Perform, the several Matters and thing, required of me to be done and Performed in and by an Act of the General Assembly of this Province Intitled an Act for Granting to his Majesty the Sum of three thousand & Forty Six pounds Sixteen Shillings & Eight pence One Farthing for the and Support of the Government of Georgia for the Year one thousand Seven Hundred & Sixty Nine to be raised at certain Rates and after the Method therein Mentioned and for the more Effectual Collecting of Arrears According to the true Intent & meaning thereof So help me God which Oath the said Justice is hereby authorized and required to Administer accordingly and to give a certificate thereof under his hand and Seal which Shall be produced by the Collectors respectively at the time of their Delivering their Accounts to the Treasurer as herein after required And Whereas there are Sundry Tracts of Land Lots houses and monies the Proprietors whereof are not resident in this Province Be it therefore further Enacted that all Attornies Trustees Executors and Administrators and other persons any wise Concerned for Absentees shall make due return to the Collectors of the Parishes respectively where they Shall reside of the Estate and Effects they Shall So Possess or be Interested in as Attorneys

to be certified by a Justice of the peace and produced to the Treasurer.

That Attornies Trustees &c do make due return of the effects they possess as such & who are made liable to pay the Tax out of their own Estates.

Guardians

Guardians Trustees Executors or Administrators or otherwise & Shall and they are hereby made liable to the payments of the Rates & Taxes Assessed thereon out of their own Estates and Effects in manner as herein before mentioned unless such Attorney or Attorneys Guardian or Guardians Trustee or Trustees shall make Oath before the Collectors or one of them that he has renounced his power & Attorneyship before The Tax became due & without any Intent to evade the Payment thereof and every Such Attorney & Attorneys Guardian & Guardians Trustees Executors & Administrators Shall and may deduct The Tax he or they shall so pay out of the Effects of the Absentee in his her or their Hands & in Case of no such Effects every Such payment shall and is hereby made Alien and Charge upon the Lands and Chattels of every Such Absentee his heirs and Assigns and Shall and may Accordingly be recovered at any time afterwards by the person or persons paying the same his her or their Executors or Administrators in any of his Majesty's Courts of this Province.

Unless they make Oath that they have renounced their Attorneyship.

And such Attorney may deduct the Taxes out of the Absentees Estates, in case of no Effects the same shall become a Charge upon the Absentees Lands &c.

AND WHEREAS the payment of the Publick Taxes hath been evaded by persons Settled on or near the Banks of Savannah River that hold or Possess Lands on the Opposite side thereof in the Province of South Carolina by removing their Slaves from this Province at the time of Collecting the Tax for remedy whereof Be it further

To prevent persons who possess Lands on the Banks of the river Savannah in both provinces evading the Tax.

Enacted.

That persons holding Lands in both Provinces.

do produce the Collector of South Carolina's Receipts for the number of Slaves they pay Tax there Or make Oath to what they have paid.

The Oath.

persons refusing lyable to pay Tax for their whole Slaves.

further Enacted That all and every Such person or persons so holding Lands in both Provinces at the time of giving an Account of his & their Lands & Estate to the Collectors as herein before required shall produce to such Collector or Collectors a Receipt or Certificate from the Collector or Collectors of Tax in South Carolina of the number of Slaves for which Tax shall have been paid by him her or them, for the Present Year or Otherwise shall make Oath before the Collector or Collectors aforesaid to the Effect following which they are hereby authorized & required to administer viz^{t}: that he she or they hath paid or are liable to pay the Publick Tax in the Province of South Carolina for the Present Year for all his her or their Slaves other than such as are Contained in the Account now Deliver'd in to the Collector or Collectors as aforesaid pursuant to the Directions of this Act & all and every person and persons who shall refuse to produce such receipt or Certificate or to make Oath as aforesaid shall be liable to pay Tax for the whole number of his her or their Slaves and the said Collectors shall in Default of payment Accordingly Issue warrants of Execution for the same as herein before Directed.

Collectors shall before the last Tuesday in May or within 10 days after close their accounts and deliver them to the Treas-

AND BE IT FURTHER ENACTED that the Said Collectors respectively shall on or before the Last tuesday in May next after the Passing of this Act or within ten days after Close their Accounts and Deliver the same in person to gether with

with the Tax list aforesaid and also an account of the Lands held by Absentees or persons not resident in the parish Unto the Treasurer of this Province and at the same time shall pay him all such monies as by them or either shall have been respectively received in pursuance of this Act after deducting for Commissions at the rate of Six pence for every pound and no More and the said Collectors respectively shall sign the Tax List by them Delivered and at the same time upon Oath shall Deliver to the Treasurer an Account of their own Lands Slave & Estates in Like manner as by this Act is required of others to be given to them and Shall pay the Taxes for the same Accordingly in Default whereof the same shall and may be Assessed and levied by the Treasurer in manner as aforesaid.

urer, pay the Ballance after deducting Commissions.

And give in an Account of and pay their own Tax.

AND BE IT FURTHER ENACTED that all Deeds & Conveyances whatsoever of any Lands Tenements Goods or Chattels by any persons or persons Whatsoever made With an Intent to avoid being Assessed or paying Tax for the same as Aforesaid Shall & they are hereby Declared to be fraudulent & void to all Intents and purposes whatsoever.

Deeds of Conveyance made to avoid paying Tax. declared Fraudulent.

AND BE IT FURTHER ENACTED that the Several Collectors or any or either of them who shall refuse to do and perform the Several Matters hereby required of them respectively to be done within the time Prescribed by this Act shall for

Collectors refusing to do their duty required by this Act to forfeit £50.

every

every such neglect or Refusal forfeit the Sum of Fifty pounds to his Majesty for the support of this Government to be Sued for & recovered by the Treasurer in any Court of Record in this province And be it also Enacted that in Case any Collector or Collectors of the present or any Former Taxes shall refuse or Neglect to give in upon Oath to the Treasurer a Just and True Account of all monies received by him or them or due to his Majesty on Account of the Tax herein imposed or on account of any former Tax within their Several and respective Districts by the time herein before Limitted that then it shall and may be Lawful for the Treasurer and he is hereby enjoined by warrant under his hand and Seal to commit such Collector or Collectors to the Common Goal in Savannah there to remain without Bail or Mainprize until he or they shall have rendered upon Oath to the Treasurer a full & Satisfactory Account of, & shall have paid all such sums so as aforesaid by him or them Collected due to his Majesty in his or their Several and respective Districts by Virtue of this or any former Tax Act and have paid the reasonable Charges for such Commitments Provided Nevertheless that if the said Collector or Collectors shall prove upon Oath to the Treasurer that they have Used every means Directed by this Act for the recovery of the Tax due by the said Defaulters & no Effects Could be found whereupon to Levy the same then and in that Case the said Collectors respectively shall not be liable for

That if Collectors for the present or former Taxes refuse to give an account of them within the time limited.

The Treasurer Shall by his warrant committ such to Goal without Bail or mainprize—

untill they have rendered sufficient satisfaction.

Proviso

That if Collectors prove upon Oath that they have used every means to recover the Tax from Defaulters & no Effects could be found. Then the Collectors not to be liable.

for or Chargeable with the payment of the Sums So due from defaulters as aforesaid And be it further Enacted that the Governor & Council shall give an Order to the Treasurer For the time being who Shall Issue the monies raised and Granted as aforesaid in the Following manner, That is to Say.

That the Governor and Council shall give an order to the Treasurer who shall issue the moneys Viz

For Defraying the Expences of holding the Court of Oyer and Terminer a sum not Exceeding one Hundred pounds -- ---- --- £100''--''--

Viz^{t}: To the Justices of the Bench for hold two Courts--£ 06''--''--

To the Justices £L'' 6'' —'' —

To the Clark of the Crown a Sum not Exceeding four pounds -- ------- 04''--''--

Clerk of the Crown 4'' —'' —

To the Attorney General a Sum not Exceeding ten pounds -- ------ 10''--''--

Attorney General £'' 6'' —'' —

To the Provost Marshall for summoning Juries Publishing Proclamations Executing Writs of Elections & Attending the Courts

Provost Marshal for Proclamations &c 30'' —'' —

Tax Act.

Courts of Oyer and Terminer Thirty Pounds -- 30''--''--

For maintenance of prisoners 30'' —'' —

To the Provost Marshall for the Maintenance of Prisoners a Sum not Exceeding thirty Pounds --- 30''--''--

Crier of the Court 10'' —'' —

To the Crier & keeper of the Court a Salary -- ------- 10''--''--

Coroner 10'' —'' —

For the Coroner a Sum not Exceeding ten pounds--- 10''--''--

Expences of the Assembly

For defraying the Expences of holding the General Assembly a Sum not Exceeding two Hundred & thirty five pounds ------ £235''--''--

To the Clark of the Upper House £30'' —'' —

Viz^{t}: To the Clark of the upper house a Salary -------- 30''--''--

to him for incidental Business 40'' —'' —

To him as Clark of the Council For Transmitting Minutes and other Incidental Business a Sum not Exceeding forty pounds 40''--''--

To

Tax Act.

To the Clark of the Commons house a Salary Thirty pounds -- ------	30''--''--	Clerk of the Commons ho. 30" —" —
To him for incidental Business for transmitting Minutes a Sum not Exceeding Forty pounds -- -------	40''--''--	to him for incidental Business 40" —" —
To the Messenger & door Keeper of the upper house a Salary twenty five Pounds -----	25''--''--	Messenger of upper house 25" —" —
To the Messenger and door keeper of the Commons house a Salary twenty five pounds	25''--''--	Messenger of Commons ho. 25" —" —
To the Secretary for Copying and Sealing Acts and Other Incidental Business a Sum not Exceeding forty pounds ----	40''--''--	The Secretary 40" —" —
Fire and Candle a Sum not Exceeding five pounds--	5''--''--	Fire and Candle 5" —" —
For apprehending		For apprehendg Offenders 20" —" —

Offenders

Tax Act.

	Offenders a Sum not Exceeding Twenty Pounds --	20''--''--	
Expresses 40'' —'' —	For Expresses sent in Service of Government a Sum not Exceeding Forty pounds ---	40''--''--	
The Commissary 20'' —'' —	To the Publick Commissary a Salary twenty pounds -- -------	20''--''--	
Governor Ellis 5'' —'' —	To Governer Ellis Annuity, Fifty pounds -- -------	50''--''--	130''--''--
	Brought over --		£465''--''--
William Lyford £100''—'' —	To William Lyford a Sum of one a Sum of one Hundred pounds agreeable to a Vote of Credit of the Late Assembly of the Ninth of March 1768 to ennable him to build a Pilot Boat in lieu of one Stolen from him at Cockspur to be paid		

him

him upon Condition that he gives a Bond with Security for his Continuance as a Pilot in this Province for the Term of Two Years after the receipt of the said Sum and that he do not Sell or otherwise Dispose of the said Boat within the Term aforesaid which Bond shall be Conditioned that in both or either of the above Cases the Obliged shall pay or cause to be paid unto the Publick Treasurer for the Use of the Province the said Sum of One hundred pounds ____ 100"__"__

To the Midway Pilots a Salary Twenty pounds __ 20"__"__

Pilots at Midway £20" —" —

A Bounty to the Several Lycensed

A Bounty to Pilots 150" —" —

Pilots

Pilots of this Province as an Inducement to Exert themselves in the Discharge of their Duty to be Issued and paid on a Certificate of the respective Commissioners named in and by an Act for regulating the Pilotage of Vessels in the Several ports of this Province to be Divided and Paid to the said Pilots in proportion to the Number of Vessels they shall respectively bring into from Sea and Carry out from this Province Proof thereof being made upon Oath of the Master or Commander of every Such Vessel before the Officer

Commanding

commanding at Fort George on the Island of Cockspur or the Comptroller of the Country Duties for the Port of Sunbury (as the Case may be) which Oath the said Officer & Comptroller respectively are hereby authorized and required to administer to the Several Masters or Commanders of Vessels arriving in this Province as aforesaid (Vessels imployed in the Costing Trade only Excepted) One Hundred & fifty pounds ------£ 13''16''--

To the Register of Grants his accompts -- ------ 13''16''--

Register of Grants £13" 16"-

To William Knox Esquire his Accompts for monies by him Disbursted in Consequence of

William Knox 16" 2 "6

his

Tax Act.

	his being Agent for this Pro^{ce}____	16'' 2'' 6	
Michael Bates 2'' 17'' 5	To Michael Bates his Account two pounds Seventeen Shillings & Six pence -- --------	2''17'' 5	32''16''--
			£767''16''--
	Brought over---		£767''16''--
James Johnston £34'' 15''	To James Johnson his Account thirty four pounds fifteen Shillings ____£	34''15''--	
John Oaklen — 15'' 6.	To John Oaklin his Account fifteen Shillings & Six pence -- --------	15'' 6	
Charles Pryce 7'' 7'' 6	To Charles Pryce Esquire Attorney Gen^{l} his Account commencing December 1767 ending first day of February 1768, Seven pounds Seven Shillings & Six pence _____	7'' 7'' 6	42''18''--

To

Tax Act.

To Charles Pryce Esquire for a Negroe Executed thirty pounds --	30''--''--		Chas. Pryce for a Negro 30''—''—
To William Gibson for a Negroe Executed thirty pounds -- -------	30''--''--		William Gibbons 30''—''—
To Lee & Weddall their Acc^{ts} ten pounds Eight & Six pence -------	10'' 8'' 6	70'' 8'' 6	Lee & Weddel 10''8''6''
To Jeremiah Sliteman his Account for cleaning & repairing two hundred & two Stand of Publick Arms & Six wall pieces for One year ending 12th December 1768, Twelve pounds Eighteen Shillings & Six pence------	12''18'' 6		Jeremiah Sliterman 12''18''6
The Secretary of the Province Ballance of his Account Commencing 29th September 1767 & ending 29th September 1768 Six-			The Secretary 16''7''9.

teen

Tax Act.

	teen pounds Seven Shillings & Nine pence -- --------	16'' 7'' 9	
Clerk of Council 13''13''6.	The Clark of the Council Ballance of his account Commencing 29th September 1767 and ending 29th September 1768 thirteen pounds thirteen Shillings & Six pence------	13''13'' 6	42''19'' 9
George Galphin 49''10''9.	To George Galphin Esquire his Account for Sundrys furnished the Indians when runing the Boundary Line forty Nine pounds Ten Shillings & Nine pence three farths	49''10'' 9¾	
Lachn. Mc. Gillivray 15''17''9.	Lachlan McGillivray Esquire his Account for Ditto Fifteen pounds Seventeen Shillings & Nine pence	15''17'' 9	
The same 3''18''....	Ditto for Expences paid by him at Barrington three		

pounds

Tax Act.

pounds Eighteen Shillings -- ----- 3''18''--

His Excellency the Govener for money advanced by him to Forrester the Interpreter and for provisions provided by John Hearn for the Indians ------ 14''--''--

His Excellency 4"—"—

John Collins Debutts for his Services in assisting the runing the Boundary Line two pounds ------ 2''--''--

John Collins Debutts 2"—"—

James Mackay & Lachlan McGillivray Esquires for Hire of Sundry Men & horses and other Expences to assist in runing the said Line from Cowanochee to the River Saint Marys fifty Six pounds Seven

Mackay & Mc. Gillivray 56"7"9

Shillings

Tax Act.

	Shillings & Nine pence ----------	56'' 7'' 9	141''14'' 3¾
			£1065''17'' 5¾
	Brought over_		£1065''17'' 5¾
James Ducker 9''12''8	James Ducker his Account for a Horse Lost & for Sundrys Supplied by him in the above Service Nine pounds twelve Shillings & Eight pence----	9''12'' 8	
John Taylor 4''—''—	John Taylor his account of a Horse lost in the Service above mentioned_	4''__''__	
Samuel Savery 65''—''—	Samuel Savery his account for Surveying the Boundary Line of this Province Sixty five pounds	65''__''__	
James Forrester 9''—''—	James Forrester his Account for Rum Supplied the Indians as an Inducement to Con-		

tinue

tinue running the said Lines two pounds three Shillings To him for a gun given one of the Head men two pounds To him as a further Gratuity for his Extra Services in D°. five pounds -- ------- 9'' 3''-- 87''15'' 8

To George Galphin Esquire a Sum not Exceeding Fifty Seven pounds Eighteen shillings for Sundery supplied and to be Supplied by him for the Indians that were at the running the Boundary Line and to be paid upon his producing an attested account for the same -------- 57''18''-- George Galphin 57''18''....

Henry Habart two pounds ten Shillings Henry Habart 2''10''....

Samuel Braziel two Samuel Braziel 2''10''....

pounds

Tax Act.

pounds ten Shillings

Saunders Colson 2"10"....

Saunders Colson two pounds ten Shillings

John Taylor 1"15"....

John Taylor One pound fifteen Shillings

For making the Boundary Line __ 9" 5"__

Hysom Roberts 1"15"....

Hysom Roberts his Account for Providing Beef in running the said Line Two Pounds 2"__"__

Grey Elliott 6"...."...

Grey Elliott Esq[r]. his account for Drawing three Bills the Last Sessions and Omitted being Charged then in his Account Six pounds_ 6"__"__

George Baillie & Co. 64"17"10

George Baillie and Company their Account Sixty four pounds Seventeen shillings & ten pence _____ 64"17"10

James Jackson 8"8"....

James Jackson Esq[r]. his account paid by him for

sending

sending Down Evidences against Charles Higdon Muckleroy David Higdon Thomas Braziel and Francis Underwood Eight pounds Eight Shillings---	8'' 8''--		
His Excellency the Govener for so much paid by him for Supporting the Command at fort George from the 18th of May 1767 to the 8th November following One Hundred & Eighty four pounds Eight Shillings & four pence -- -------	184'' 8'' 4	332''17'' 2	His Excellency 184''8''4
		£1486''10'' 3¾	
Brought over--		£1486''10'' 3¾	
To make good the Deficiency owing to the Several Pilots of this Province on the			To the Pilots 61''10''10

Certificates

Certificates for bring in Vessels Over the Different Bars a Sum not Exceeding Sixty one pounds ten Shillings & ten pence _____ 61''10''10

An Officer & five men at Cockspurr 210''---''---

An Officer at Ten pounds ℔ Month & five men at thirty Each ℔ Month to Garrison fort George on the Island of Cockspur for twelve Months from the 8th November 1768 __ _____ 210''__''__

The Provost Marshall 12''11''9

The Provost Marshall for Ballance of his Account from 29th September 1767 to 29th September 1768 Twelve pounds Eleven Shillings & Nine pence _____ 12''11'' 9

repairing the Caponier 20''---''---

To John Smith & William Ewen Esqr. a Sum not Exceeding twenty

pounds

Tax Act.

pounds to be applied by their Directions in repairing & Making sufficient the Caponier in fort Halifax Used as a Prison for the Confinement of Felons and negroes -- --------	20''--''--	
Joseph Bailey for bring down to Savannah George Osborn Nat: Young Lundy Hurst & Edward Hatcher thirteen pounds Sixteen Shillings & Nine pence -- --------	13''16'' 9	Joseph Bailey 13"16"9
William Young for his Services when Clark to the Committee of Correspondence some years since ------	3'' 3''--	William Young 3"3"---
John Storr for his acting as such the Last year -------	2'' 2''--	John Storr 2"2"---
James Johnson Printer a Salary		Printer's Salary 50"--"---

of

	of Fifty pounds in Consideration of his furnishing the Sundry persons Named in and by an Act of the General Assembly Intitled an Act for making provision for Printing the Laws of the Province and for encouraging a printer to Set up a Printing Press in the same who have not heretofore been Supplied with them a Set of Coppies of all Laws which are now in force in this province when the same shall be Demanded	50''__''__	311''13''6
For Settleing a Town Ship on Ogechee 560''....''....	The Hon'ble Noble Jones Esq^{r}. The Hon'ble Noble Wimberly Jones Esq^{r}. Alexander Wylly John Mullryne Lachlan McGillivray		

Tax Act.

McGillivray John Smith & George Galphin Esq[r]. a Sum not Exceeding Five Hundred & Sixty pounds to be by them or any five of them applied in Defraying such Expences as they Shall judge really Necessary & proper towards Settling a Township on the Branches of Ogechee River ----		560''--''--
		£2419''13'' 7¾
Brought over--		£2419''13'' 7¾
To Peter Tondee his Account for work done at the work house Sixteen pounds Eighteen Shillings & three pence -- --------	16''18'' 3	
To William Græme Esq[r]. Attorney General		

Peter Tondee £16''18''3

William Græme 5''6''5

Tax Act.

	General his account -- --------	5'' 6'' 5	
Court House 150'' —'' —	A Sum not Exceeding One Hundred & fifty pounds to the Commissioners appointed for Building a Court house in Savannah for Defraying the Expences of & Finishing the same -- --------	150''--''--	172'' 4'' 8
The Coroner 22''0''8	To the Coroner for takeing Several Inquisitions from July 26th 1767 to 14 October 1768 twenty two pounds and Eight pence -- --------	22'' 0'' 8	
Read & Mossman 2''18''—	Read & Mossman their Account two pounds Eighteen -- -----	2''18''--	
Philip Howel 12''13''4	To Philip Howell his Account for Apprehending & bring down to Savannah Chris^{a}. &		

Thos.

	Tax Act.		
Thoˢ. Mavo twelve pounds thirteen Shillings & four pence -- --------	12''13'' 4		
To Thomas Lee his Account five pounds five Shillings -- ---------	5'' 5''--		Thomas Lee 5''5''---
To Preston & Pryce Clarks of the Crown & peace their Accoᵗ. Eight pounds Eleven Shillings & five pence -- --------	8''11'' 5		Preston & Pryce 8''11''5
To Peter Blyth his Account for Materials supplied by him for a Platform near fort Halifax thirteen pounds Eight Shillings & Six pen -- ----------	13'' 8'' 6		Peter Blyth 13''8''6
To Joseph Howell for apprehending Jesse Hamilton & bring him to Savannah two pound five -- ----------	2'' 5''--	67'' 1''11	Joseph Howell 2''5''---
To the Commissioners			

Tax Act.

Commissioners of the General Loan 20"...."...	sioners of the General Loan a Sum not exceeding twenty pounds for an Office & as a Gratuity to a Clark to the said Commissioners twenty pounds ___	20"__"__	
Henry Keal 2"11"....	To Henry Keal as late Clark of the Assembly Ballance of his Acco^{t}. for the last year two pound Eleven _____	2"11"__	
Grey Elliott 16"...."...	To Grey Elliott for drawing Eight Bills this Session_	16" 0"__	
The Comissary 30"...."...	To the Publick Commissary for Purchaseing & Erecting a New flag Staff & allso for Purchaseing a new Set of Colours for Fort Halifax in the Town of Savannah a Sum not Exceeding thirty pounds	30"__"__	68"11" 0
	To the Hon'ble No-		

ble

repairing the Assembly house 100"__"__

ble Wimberly Jones Esq[r]. John Smith & William Young Esq[r]. for purchaseing Materials & hire of workmen to Under pin the Assembly house with Brick & for enclosing the Lot belonging to the same with a Brick Wall to be one Brick & a half thick & not Exceeding Eight feet high from the Surface to be topped with Mortar & Stuck with Glass a Sum not Exceeding One Hundred pounds _____ 100"__"__

£2827"11" 2¾

Brought over__ £2827"11"2¾

To Daniel Nunes Searcher over and above the sum

provided

To Daniel Nunes £10"...."....

provided for him by an Act for Laying a Duty on Goods imported from the Northern Colonies Ten pounds -- --------- 10'' 0''--

2837''11'' 2¾

Collectors Commissions.

Collectors Commissions at two & half ℔ Cent -- 70''18'' 9½

Treasurers Commissions.

Treasurers Commissions on Neat Tax to be paid to him at five ℔ Cent-- 138'' 6'' 8 309'' 5'' 5½

£3046''16'' 8¼

That the Treasurer do pay Alexr. Wylly &c £100"...."....

to reimburse them a Sum remitted Chas. Garth Esqr.

AND BE IT FURTHER ENACTED that the Treasurer do pay to Alexander Wylly Noble Wimberly Jones and John Mulryne Esquires out of the money raised by the Tax Act for the year One thousand Seven Hundred & Sixty Seven One Hundred pounds to reimburse them that Sum remitted by them to Charles Garth Esquire to be paid in the same manner & Under the same regulations as Other Sums provided by this Act are Directed to be paid.

And

And be it further Enacted that the Fine & Penalties by this Act Inflicted not herein before Disposed of shall be to his Majesty & applied in Aid of the General Tax. Fine and penalties to his Majesty.

By order of the Commons House of Assembly

N. W. JONES Speaker.

By order of the Upper House

JAMES HABERSHAM President.

Council Chamber

24th December 1768.

Assented to

JA: WRIGHT.

(State Archives.)

An act for the better security of the inhabitants by obliging the male white persons to carry fire arms to places of public worship.

WHEREAS it is necessary for the security and defence of this province from internal dangers and insurrections, that all persons resorting to places of public worship shall be obliged to carry fire arms. Preamble.

Be

Security Against Internal Dangers and Insurrections.

All male white inhabitants to carry arms to places of worship under penalty of ten shillings.

1. BE IT ENACTED, That immediately from and after the passing of this act, every male white inhabitant of this province, (the inhabitants of the sea port towns only excepted who shall not be obliged to carry any other than side arms) who is or shall be liable to bear arms in the militia, either at common musters or times of alarm, and resorting, on any Sunday or other times, to any church, or other place of divine worship within the parish where such person shall reside, shall carry with him a gun, or a pair of pistols, in good order and fit for service, with at least six charges of gun-powder and ball, and shall take the said gun or pistols with him to the pew or seat, where such person shall sit, remain, or be, within or about the said church or place of worship, under the penalty of ten shillings for every neglect of the same, to be recovered by warrant of distress and sale of the offender's goods, under the hand and seal of any justice of the peace for the parish where such offence is committed, one half to be paid into the hands of the church wardens, or where there is no church wardens, to any justice for the use of the poor of the said parish, and the other half to him or them that shall give information thereof.

How to be recovered and applied.

Church wardens, deacons, &c. to examine persons liable to carry arms.

2. And for the better and more effectual carrying this act into execution, BE IT FURTHER ENACTED, That the church warden or church wardens of each respective parish, and the deacons,

elders

elders or select men, of other places of public worship, shall be obliged, and they are hereby empowered to examine all such male persons, either in or about such places of public worship, at any time after the congregation is assembled, on Christmas and Easter days, and at least twelve other times in every year, and if, upon finding any person or persons liable to bear arms, and being then to places of public worship as aforesaid, without the arms and ammunition by this act directed, and shall not, within fifteen days after such offence is committed, inform against such person or persons so offending, in order to recover the penalty as aforesaid, said church warden or church wardens, deacons, elders, or select men, shall, for every such neglect of duty, or giving information as aforesaid, forfeit and pay the sum of five pounds, to be recovered and applied as in this act is before directed.

Persons refusing to be examined to forfeit ten shillings, to be recovered and applied as aforesaid.

3. AND BE IT FURTHER ENACTED, That any such person or persons thus liable to bring their arms, and being at any church or place of public worship, as aforesaid, that shall refuse to be examined in or about such places of public worship, or neglect, on demand of the church warden or church wardens, deacons, elders, or select men respectively, to produce and shew his or their arms and ammunition by this act required to be brought by such person or persons, to the intent it may be known whether the same be

fit

fit for immediate use and service, such person or persons so refusing or neglecting shall severally, and for every such offence, forfeit the sum of ten shillings, to be recovered and applied in such manner as the penalty for not bringing such arms in and by this act directed.

Continuation.

4. AND BE IT FURTHER ENACTED, That this act shall be and continue in force for and during the term of three years, and from thence to the end of the next session of the General Assembly, and no longer.

N. W. JONES, *Speaker.*

JAMES HABERSHAM, *President.*

JAMES WRIGHT.

February 27, 1770.

(State Archives.)

An Act.

To Prohibit for a certain Time the Exportation of Indian Corn.

WHEREAS the shortness of the last Crop of Indian Corn in this Province makes it greatly to be apprehended that a Scarcity of that Article may ensue

ensue, And there is reason to believe that the Industrious poor Inhabitants may be greatly distressed thereby—And it is highly becoming the Legislature to provide as much as possible against such Melancholy Consequences. WE THEREFORE PRAY your most Sacred Majesty that it may be Enacted, AND BE IT ENACTED by His Excellency James Wright Esquire Captain General and Governor in Chief of his Majestys Province of Georgia by and with the Advice and Consent of the Honourable Council and Commons House of Assembly of the said Province in General Assembly met and by the authority of the same. That it shall not be lawful for any person or persons whatsoever and they are hereby Strictly forbidden and prohibited from and immediately after the passing of this Act and until the first day of September next, to Export or Carry off, or cause to be Exported and Carried off, without the Limits of this Province in any manner whatsover any Indian Corn (Except such as is already Loaden on board any Vessel or Vessels within this Province cleared for departure, and such as may be absolutely necessary for provisions and that not to Exceed twenty Bushels) in any Vessel Boat or Pettiaugau under the Penalty of Five Shillings for every Bushel of Indian Corn so Exported or Carried off, which Penalty if not Amounting to more than Eight Pounds, upon Proof of such Offence being Committed shall be Recovered before any two Justices of the Peace in any Parish

where

where the same shall happen. And be Levied by Warrant of Distress and Sale of the Offenders Goods and be paid to the person or persons informing, and in case no Distress can be found whereon to Levy such penalty as aforesaid, then and in such case the Offender or Offenders to be by such Justices by Warrant under their Hands and Seals committed to the Common Goal, and there to be and Remain for and during the Term of Twenty Days, and in case the penalty shall amount to more than Eight pounds then the same to be Recovered in any Court of Record in this Province, and the said penalty to be for the use of him her or them suing for the same, And if any person or persons shall be Sued for any Act matter or Thing done in pursuance hereof, the said Act and the Special matter shall be Given in Evidence on the General Issue, and upon such suits being discontinued or Judgment passing against the plaintiff, the Defendant shall Recover Treble Costs.

AND for the better and more Effectual Carrying into Execution the intent of this Act BE IT FURTHER ENACTED That every Master or Commander of any Ship or Vessel outward bound from this Province upon Clearing out his Ship or Vessel with the Treasurer in the port of Savannah or the Comptroller of the Country duties in the port of Sunbury, do take the following Oath, "I AB do Swear that I have not on

board

board my Vessel nor will directly or indirectly take or Suffer to be taken on board the same from this province upon this present Voyage any Indian Corn Exceeding twenty Bushels, So help me God" Which Oath the said Treasurer and Comptroller of the Country duties are hereby directed and impowered to Administer previous to their Clearing the said Vessel.

AND in Order that no unnecessary Restraint or burthen may be laid upon Trade BE IT ENACTED that if at any time after the passing of this Act before the first day of September as aforesaid it shall appear and be made manifest to the Governor Or Commander in Chief for the time being that there is a Sufficient Quantity of Corn fully to Answer the necessities of the Inhabitants it shall in such case be Lawful to and for the said Governor or Commander in Chief for the time being by and with the Advice and Consent of his Majesty's Council to Issue his Proclamation, And thereby take off the Prohibition intended and made by this Act, in General or otherwise Subject to such Limitation as to the said Governor or Commander in Chief and Council shall appear necessary.

AND WHEREAS it may be necessary after the first day of September aforesaid to prohibit the Exportation of Indian Corn at a time when the General Assembly of this Province cannot without manifest inconvenience be called together. BE IT THEREFORE ENACTED That it shall and may be

be Lawful to and for the Governor or the Commander in Chief for the time being at any time or times after the said first of September during the Continuance of this Act when the Market Price of Indian Corn shall Exceed two shillings and six pence per Bushel, by and with the Advice and Consent of his Majestys Council either by Proclamation or Order in Council to Restrain and Prohibit the Exporting or Carrying without the Limit of this Province either by Land or by Water any Indian Corn for such time and under the Several Penalties by this Act Inflicted, or such others as to him and them shall appear most necessary and likely to enforce such Prohibition.

AND BE IT ENACTED that this Act shall be and Continue in force for and during the Term of Two Years and from thence to the End of the next Session of the General Assembly and no longer.

By Order of the Commons House of Assembly

N. W. JONES Speaker

By Order of the Upper House of Assembly

JAMES HABERSHAM President

Council Chamber
27th February 1770

Assented to

JA: WRIGHT.

State

Collector and Comptroller of Sunbury.

(State Archives.)

AN ORDINANCE.

For Appointing James Kitchen Collector and Comptroller of the Country Duties at the Port of Sunbury.

WHEREAS Robert Nichols who by an Ordinance of the General Assembly was appointed Comptroller and Collector of the Country Duties at the Port of Sunbury is deceased, and it is necessary for Collecting the Country Duties that may arise and become due and payable at the said port to appoint a Collector and Comptroller for the same in his Room BE IT THEREFORE ORDAINED And it is hereby Ordained by his Excellency James Wright Esquire Captain General and Governor in Chief of his Majesty's Province of Georgia by and with the Advice and Consent of the Honourable Council and the Commons House of Assembly of the said Province in General Assembly met and by the Authority of the same, that James Kitchen be and he is hereby Ordained and declared to be Collector and Comptroller of the Country Duties that may arise and become due and payable at the port of Sunbury aforesaid, and to Continue and Remain as such to all intents and purposes whatsoever, Untill the twenty Sixth day of March in the Year of our Lord One thousand Seven hundred and Seventy, and from thence to the end of the next Session of the General Assembly.

And

Collector and Comptroller of Sunbury.

AND BE IT FURTHER ORDAINED That in Case of the Refusal to Act, Death or departure from the Province of the said James Kitchen it shall and may be lawful to and for the Governor or Commander in Chief for the time being by and with the Advice and Consent of the Honourable Council to appoint another person as Collector and Comptroller of the Country duties in the said port of Sunbury in the Place of the said James Kitchen during the Recess of the General Assembly, and until the End of the next Session thereof.

By order of the Commons House of Assembly

N. W. JONES Speaker

By Order of the Upper House of Assembly

JAMES HABERSHAM President.

Council Chamber

27th February 1770

Assented to

JA: WRIGHT.

State

Supporting Watch in Savannah.

(State Archives.)

AN ACT

For Empowering Commissioners to Assess the Inhabitants of the Town of Savannah in the Sum of two hundred pounds thirteen Shillings four pence and also to empower the Treasurer to Issue Certificates for the Sum of One hundred pounds Six Shillings and Eight pence to be Sunk in the next General Tax Act, for Supporting a Watch in the Town of Savannah.

WHEREAS by an Act passed this Present Session of Assembly Intitled "An Act for raising a certain Number of Watchmen for preserving good order in and about the Town of Savannah it is amongst other things Enacted that a Watch shall be Established and Enlisted in said Town of Savannah to Consist of one principal Officer or Commander and two Subalterns, one Drummer and twenty Seven able Watchmen not under the age of Eighteen Years nor above the Age of Fifty five Years and that the charge of maintaining the said Watch amounting to three Hundred and one pounds per Annum, shall be allowed and paid by the Publick Treasurer of this Province by Quarterly payments out of the monies to be raised for that purpose We therefore Pray Your most Sacred Majesty that it may be Enacted AND BE IT ENACTED by his Excellency James Wright Esquire Captain General

Supporting Watch in Savannah.

General and Governor in Chief of His Majestys Province of Georgia by & with the Advice and Consent of the Honourable Council and Commons House of Assembly of the said Province in General Assembly met and by the Authority of the same That immediately from & after the passing of this Act it shall and may be Lawful to and for the Commissioners herein after named to assess the Inhabitants of the Town of Savannah in the Sum of two hundred pounds thirteen Shillings and four pence being two thirds of the said Sum of three hundred & one pounds in the following manner that is to Say the Sum of One Shilling and Six pence on all Lots in the Town of Savannah, Wharf Lots, and Lots laid out on Lands commonly called Yamacraw The Trustees Gardens and Ewensburgh, at the rate of two Shillings on every hundred pounds Value of Buildings & Improvements on the said Lots, the Sum of One Shilling on every Negro or other Slave whatsoever within the Limits aforesaid, the Sum of Ten Shillings on every free Negroe mulatto or Mustee above the age of Sixteen Years, the Sum of Two Shillings on every hundred pounds Value of all Goods Wares & Merchandize imported into this province with Intent to sell again by any Merchant Factor, Storekeeper or other person whatsoever to be rated at the price thereof as Imported, the Sum of Three Shillings on every hundred pounds Let or Lying as Interest by Choice, and the Sum of Two Shillings and Six

pence

pence on every Inhabitant within the Limits aforesaid, and not herein before liable to be Assessed, not being possessed of any of the Articles herein before enumerated (Apprentices under the age of twenty one Years Excepted)

AND BE IT FURTHER ENACTED that the several Persons liable to be Assessed by this Act who shall neglect or refuse to pay their respective Assessment within Thirty days after being so Assessed every such Defaulter shall be subject and liable to a Penalty not exceeding twenty Shillings over & above the said Assessment which shall & may be recovered by the Commissioners herein after named by warrant of distress and Sale of the Offenders Goods to be applied as herein after is directed and the said Commissioners shall be obliged to render a just & fair Account of all Monies Received by Virtue of this Act when thereunto Required.

AND BE IT FURTHER ENACTED that Robert Bolton, Nathaniel Hall and Richard Wylly shall be and they are hereby nominated declared & appointed Commissioners for the purposes aforesaid & they are hereby required & Strictly enjoined to pay the said Several Sums so Assessed into the Hands of the Publick Treasurer to be appropriated as directed by the before recited Act.

AND WHEREAS for the Protection of the Publick Buildings & Records of the Province it is

is reasonable that the Publick should contribute toward the payment of the said Watch. BE IT THEREFORE FURTHER ENACTED that it shall and may be Lawful to & for the Treasurer aforesaid to Issue Certificates for the Sum of One hundred pounds Six Shillings & Eight pence being one third of the said Sum of three hundred and one pounds to go in aid of paying the said Watch which said Sum shall be sunk by the next General Tax Act

AND BE IT FURTHER ENACTED that the Several Assessors or any or either of them who shall refuse to do and perform the several matters hereby required of them respectively to be done within the time prescribed by this Act shal for every such neglect or refusal forfeit the Sum of Twenty pounds to be appropriated for the Support of the said Watch to be Sued for & recovered by the Treasurer by Bill plaint or Information in the General Court of Pleas of this Province.

AND BE IT FURTHER ENACTED that the said Assessors shall be paid at the rate of two & one half Per Cent & the Treasurer at the rate of five Per Cent: out of the monies to be Collected by Virtue of this Act.

AND IT IS HEREBY FURTHER ENACTED that this Act shall Continue & be in

force

force for and during the Term of one Year from the passing thereof and no longer.

By order of the Commons House of Assembly

N W JONES Speaker

By Order of the Upper House of Assembly

JAMES HABERSHAM President

Council Chamber
10th. May 1770

Assented to

JA: WRIGHT.

(State Archives.)

AN ORDINANCE

For Appointing Andrew Elton Wells Harbour Master for the Port of Savannah.

WHEREAS by An Act passed this Present Session of the General Assembly Intitled An Act to Regulate and ascertain the Rates of Wharfage of Shipping and Merchandize and also to ascertain the Rates of Storage in the Several ports of this Province and for the bet-

ter

ter Regulation of Wharfs and Shipping in the said Ports and for Ascertaining the Duty of an Harbour Master for the Port of Savannah, it is amongst other things Enacted and declared that the Harbour Master for the said Port of Savannah shall be appointed by Ordinance of the General Assembly: BE IT THEREFORE ORDAINED And it is hereby Ordained by his Excellency James Wright Esquire Captain General & Governor in Chief of his Majestys Province of Georgia by and with the Advice and Consent of the Honourable Council and Commons House of Assembly of the said Province in General Assembly met and by the Authority of the same that Andrew Elton Wells be and he is hereby Ordained and Declared to be Harbour Master for the Port of Savannah aforesaid and Continue and remain as such to all intents and purposes whatsoever for and during the Term of Two Year and from thence to the end of the next Session of the General Assembly.

AND BE IT FURTHER ORDAINED That in Case of Refusal to Act Death or Departure from the Province of the said Andrew Elton Wells it shall and may be Lawful to and for the Governor or Commander in Chief for the time being by and with the Advice and Consent of the Honourable Council to appoint another person as Harbour Master for the said Port of Savannah in the place of the said Andrew Elton Wells

during

during the Recess of the General Assembly, and untill the end of the next Session thereof.

By order of the Commons House of Assembly

NW JONES Speaker

By Order of the upper House of Assembly

JAMES HABERSHAM President

Council Chamber
10th May 1770

Assented to

JA: WRIGHT.

(State Archives.)

AN ORDINANCE.

For appointing packers and Inspectors for the ports of Savannah and Sunbury And also Cullers and Inspectors of Lumber in the said Ports.

WHEREAS the Ordinance passed by the General Assembly of this Province the twenty Sixth day of March in the Year of our Lord One thousand Seven hundred and Sixty Seven for appointing packers and Inspectors for the ports of Savannah and Sunbury and also Cullers and Inspectors

Inspectors of Lumber in the said ports is near Expiring, AND WHEREAS some of the said packers and Inspectors and also some of the said Cullers and Inspectors have deceased or departed from this Province, And it is highly necessary that others should be appointed in their Room agreeable to the Acts of the General Assembly in that case made and provided BE IT THEREFORE ORDAINED And it is hereby Ordained by His Excellency James Wright Esquire Captain General and Commander in Chief of his Majestys Province of Georgia by and with the Advice and Consent of the Honourable Council and Commons House of Assembly of the said Province in General Assembly met and by the Authority of the same That Thomas Lee the Elder, James Herriott, William Trenfield, and John Allen shall be and they are hereby appointed packers and Inspectors for the port of Savannah, and that Peter Tondee, Joseph Dunlap, Thomas Lee the Younger, Benjamin Weddell and Philip Hughes shall be and are hereby appointed Cullers and Inspectors of Lumber for the same, And that Samuel Morecock and Samuel Nelmes shall be and they are hereby appointed packers and Inspectors for the port of Sunbury, And that the said Samuel Morecock and Samuel Nelmes shall be and they are hereby appointed Cullers and Inspectors Of Lumber for the said port. AND WHEREAS many Vessels are Loaded in the Harbour of Saint Simons which are entered and Cleared in the port of Sunbury. Be

Be it therefore Ordained That Charles M^{c}: Donald shall be and is hereby appointed and declared to be an Additional packer and Inspector, and an Additional Culler and Inspector for the said port to do and perform his Duty at Frederica.

And be it further Ordained That in case of Refusal to Act Death or Departure from the Province of any of the said packers and Inspectors or Cullers and Inspectors it shall and may be Lawful to and for the Governor or Commander in Chief for the time being by and with the Advice and Consent of the Honourable Council to nominate and appoint other packers and Inspectors and Cullers and Inspectors of Lumber in the Room of any so Refusing to Act, dying or departing the Province.

And be it further Ordained That this Ordinance shall be and Continue in force for and during the Term of One Year and from thence to the end of the next Session of the General Assembly and no longer.

By order of the Commons House of Assembly
NW Jones Speaker

By order of the upper House of Assembly
James Habersham President

Council Chamber
10 May 1770

Assented to
Ja: Wright.

State

(State Archives.)

AN ACT

TO amend an Act intituled an Act to prevent the bringing into and spreading of Malignant and Contagious Distempers in the Province; to oblige Masters or Commanders of Vessels going out of any Port within the same first to produce a Passport from the Governour or Commander in Chief; to prevent the Harbouring of sick Sailors and others; and for the regulating and well ordering of the Lazaretto upon the Island of Tybee.

WHEREAS the Act to prevent the bringing into and spreading of malignant and contagious Distempers in this Province, to oblige Masters or Commanders of Vessels going out of any Port within the Same first to produce a Pasport from the Governour or Commander in Chief to prevent the harbouring of sick Sailors and others; and for the regulating and well ordering of the Lazaretto upon the Island of Tybee; has by experience been found in some cases ineffectual, and the good purposes thereby intended have not been answered AND WHEREAS it is of the utmost consequence to the Inhabitants of this Province that the Plague, small Pox and other malignant Distempers should be effectually prevented being brought into the same WE THEREFORE PRAY your most sacred Majesty that it may be Enacted

And

Malignant and Contagious Distempers.

AND BE IT ENACTED by his Excellency James Wright Esquire Captain general and Governour in Chief of his Majesty's Province of Georgia by and with the Advice and Consent of the Honourable Council and The Commons House of Assembly of the said Province in general Assembly met and by the Authority of the same THAT from and after the passing of this Act the Pilot or Pilots belonging to the several Ports of this Province do, before his or their entering on Board any Ship bound or coming into any Port or Harbour of this Province, put the following questions to the Master or Commander of the same to wit, Whether all Persons then on Board are in Health? Whether the Place from whence they last came was healthy? Whether any Persons were sick in the Course of the Passage? How many? Of what Distempers? and how long since? And whether any died in the Course of the said Passage? How many? Of what Distempers? and how long since? AND every master or Commander is here by strictly enjoined and required, without Equivocation or Reserve, to give just and true Answers to all such Inquiries of the said Pilot or Pilots, AND BE IT FURTHER ENACTED that if the Master or Commander of any Ship or Vessel shall refuse to answer, or give any untrue Answer to any of the Questions aforesaid, or to any Question whatsoever, put by any Pilot or Pilots relative to the Matter above mentioned, such Master or Commander so refusing

to

to answer or giving any untrue answer, upon Proof thereof made, shall forfeit and pay a sum not exceeding one hundred Pounds Sterling to be recovered and applied as is herein after directed, AND WHEREAS the Act above referred to directs the Master or Commander of every Ship or Vessel, or in Case of the Incapacity of such Master Or Commander, then the Doctor and one Officer, and if no Doctor, then one Officer and one Foremastman, upon any Vessels being brought to, forthwith to repair to Fort George at Cockspur, or to the Collector, of his Majesty's Customs at Sunbury, as the Case may be, in order that such Master or Commander Doctor, Officer or Foremastman, may undergo a strict Examination by the Commander of the said Fort or Collector of his Majesty's Customs; and has pointed out a Mode of Examination by directing the said Commander or Collector as the Case may be to put certain Questions to every such Master or Commander, Doctor, Officer, or Foremastman, but has not inflicted any Penalty on such Master or Commander, Doctor, Officer or Foremastman, neglecting to repair as aforesaid or refusing to be sworn, or, when sworn, giving an untrue Answer, or refusing to answer, BE IT THEREFORE ENACTED that if any Master or Commander of any Ship or Vessel, or any Doctor, Officer or Foremastman who are directed to repair as aforesaid, shall neglect so to do, or shall refuse to be sworn or affirm, or when sworn

shall

shall refuse to answer, or give any untrue answer to any of the Questions directed by the said Act to be put to the said Master or Commander Doctor, Officer, or Foremastman, by the Commander or Collector aforesaid, or to any Question relative thereto put by either of the Persons above mentioned, such Master or Commander, Doctor, Officer, or Foremastman so neglecting to repair as aforesaid, or so refusing to be sworn or affirm, or so refusing to Answer, shall forfeit and pay a Sum not exceeding One hundred Pounds Sterling to be recovered and applied as herein after directed AND such Master or Commander, Doctor, Officer or Foremastman, being sworn, or having affirmed, and giving a false Answer, shall for every such offence stand in the Pillory from the Hours of ten to twelve of the Clock in the forenoon And also forfeit a sum not exceeding One hundred Pounds Sterling to be recovered and applied as hereinafter mentioned—AND BE IT FURTHER ENACTED that all and singular the Penalties and Forfeitures by this Act imposed shall be sued for and recovered by Action of Debt Bill Plaint or Information in the general Court of Pleas in this Province and be applied one third to the Informer or Informers and the other two thirds to his Majesty his Heirs and Successors in Aid of the general Tax towards reimbursing the Expense of Building the Lazaretto, keeping the same in Repair, and paying the Salary of the Keeper or Manager of the

said

said House. AND all and every Person or Persons who shall be sued or prosecuted for any Act Matter or Thing in Pursuance or Execution of this Act shall and may plead the general Issue, and give the special Matter in Evidence, AND if any Plaintiff or Prosecutor shall be non suited, suffer a Discontinuance, enter a Noli Prosequi, or a Verdict shall be given against him, the Defendant shall be allowed and recover treble Costs AND BE IT FURTHER ENACTED that this Act shall continue and be in Force for and during the Term of one Year from the passing thereof and from thence to the end of the next Session of the general Assembly and no longer.

By Order of the upper House of Assembly

JAMES HABERSHAM President

By order of the Commons House of Assembly

NW JONES Speaker

Council Chamber
10th May 1770

Assented to

JA: WRIGHT.

State

(State Archives.)

AN ACT

For Granting to his Majesty the Sum of Three thousand three hundred and Fifty five pounds Nine Shillings and one Farthing for the use and Support of the Government of Georgia for the Year one thousand Seven hundred and Seventy to be raised at certain rates and after the Method thereinmentioned for the more effectual Collecting of Arrears and for Exempting the Parishes of Saint David Saint Patrick, Saint Thomas, and Saint Mary they not being represented. Title.

WE his Majestys most dutiful and loyal Subjects the Commons House of Assembly of Georgia, taking into our Consideration, the Expences necessary towards the Support of this Government for the present year, and having resolved to Supply the same do by this Act chearfully and Voluntarily give and Grant unto his Majesty the Sum of Three thousand three hundred and Fifty five pounds Nine Shillings and One farthing to be raised Levied and paid in the manner and for the purposes herein after in this Act mentioned. And we do therefore humbly pray your most Sacred Majesty that it may be Enacted And be it Enacted by his Excellency James Wright Esquire Captain General and Governor in Chief of this his Majesty's Province of Georgia by and with the Advice and Consent Preamble. Enacted.

sent of the Honourable Council and Commons House of Assembly of the said Province in General Assembly met, and by the Authority of the same, that the Sum of Three thousand, Three hundred, and Fifty five pounds Nine Shillings and one farthing, shall be raised Levied and paid within the Space of one year from the Twenty Ninth day of September One thousand Seven hundred and Sixty Nine and is hereby Granted to his Majesty, for the use and Support of this Government in the manner as is herein after mentioned and directed.

That the sum of £3355"9"0 1-4 be raised for the support of Government for one year from the 29 Septr. 1769.

AND BE IT FURTHER ENACTED that towards raising the said Sum of Three thousand Three hundred and Fifty five pounds Nine Shillings and one Farthing the several rates and Sums following shall be rated and Assessed as herein after mentioned that is to Say the Sum of one Shilling and Six pence on every hundred Acres of Land in this Province holden and possessed by Grant or Warrant by any Person or Persons whatsoever; The Sum of Four Shillings and Sixpence on every hundred pounds Value on all Lots in the Town of Savannah, Ebenezer, Augusta Frederica and Sunbury Wharf Lots, and Lots laid out on Lands commonly called Yamacraw, the Trustees Gardens and Ewensburgh, the Sum of three Shillings on every hundred pounds Value of Buildings and improvements on the said Lots, the Sum of one Shilling and Sixpence on every Negroe or other Slave

Tax of That said Sum be raised by a

1-6 on every hundred acres of Land.

4-6 on every £100 value of Lots in the Towns named.

3 on every £100 value of Buildings thereon.

1-6 on Slaves.

whatsoever

whatsoever being within the Limits of this Province the Sum of Twelve Shillings and Sixpence on every free Negroe, Mulatto or Mustee above the age of Sixteen years the Sum of Four Shillings and Sixpence on every hundred pounds Value of all Goods Wares and Merchandize imported into this Province with Intent to Sell again by any Merchant, Factor, Store keeper or other person whatsoever to be rated at the price thereof as Imported (Goods Wares and Merchandize imported by Transient persons only excepted) the Sum of Seven Shillings and six pence on every hundred pounds let or lying at Interest by Choice the Parishes lying and being to the Southward of the River, Altamaha, to wit the Parish of Saint David, Saint Patrick, Saint Thomas, and Saint Mary they not being represented, and also Lands whereon any Churches or other Buildings for divine Worship or for Charitable uses are Erected and Lands, Slaves or moneys belonging or appertaining to or going with such Buildings Excepted.

12-6 on free Negroes or Mullattoes above 16 yrs.

4-6 on every £100 value of Merchandize.

7-6 on every £100 let at Intrest by choice.

The parishes to the Southward of the Altamaha

Excepted.

AND BE IT FURTHER ENACTED that all and every Person and Persons whatsoever having any Estate or Interest in any Lands Tenements Goods or Chattels within this Province shall on or before the first Tuesday in June, after the passing of this Act render a particular Account in Writing upon Oath or Affirmation, if a Quaker to the Best of his her or their knowledge, unto the Collectors of the Several parishes where he she

That all persons interested before the first Tuesday in June.

do render an account in writing upon Oath to the Collectors &c of their Lands Lots &c

she or they shall respectively reside of all Lands, Lots, houses, Slaves, Monies at Interest Goods and Effects whatsoever whereof he She or they is or are Seized or possessed, or Interested in, liable by this Act, to the rates and Taxes aforesaid and where Situate and being, and of all Deer Skins and Beaver Skins, by him her or them Exported or Sent out of this Province Except in Ships bound to Great Britain at such time and place as the Collectors herein after named shall respectively direct and appoint who are hereby required to give at Least Twenty days Notice thereof by Publick Advertizement, Specifying the Several rates aforesaid and all and every the said person and persons so giving an Account as aforesaid shall at the same time pay to the said Collectors the Several Sums and Taxes due from him, her, or them thereupon as by this Act rated and Assessed.

who are required to give 20 days notice by advertisement.

And at the same time pay the Tax.

That the Collectors administer an Oath to all persons on receiving their Account.

AND BE IT FURTHER ENACTED that the said Collectors respectively shall and they are hereby required to administer the Oath following to all and every Person and persons at the time of Receiving his her, or their Account first entering such Account in the List of Schedule agreeable to the form to this Act annexed whereto the persons so paying their Tax Shall respectively Subscribe their Name in the Column of the said Schedule for this purpose assigned—

The Oath.

"I A. B. do Solemnly Swear (or affirm as the

case

"case may be) in the presence of Almighty God "that the Account now by me given and deliv- "ered to the Collectors of the Publick Tax doth "contain a Just true and particular Account of "all the Lands, Town Lots, Houses and Slaves "whereof I am in anywise Seized possessed inti- "tled unto or interested in either in my own "right or as Attorney, Guardian, Executor, or "Administrator, or Trustee to any other person "or persons whatsoever And of the Amount of "the prime Costs of all Goods, Wares, and Mer- "chandize by me imported with Intent to Sell "again or Consigned to me for Sale on Commis- "sion And of all Deer Skins and Beaver Skins "by me Exported or Sent out of the Province "Except in Ships bound to Great Britain from "the first day of March one thousand Seven "hundred and Sixty Nine Exclusive to the first "day of March One thousand Seven hundred "and Seventy Inclusive (the produce of this "Province and Goods Exported as a remittance "only Excepted) and also of all monies Let or "lying at Interest by Choice in this Province "either in my own right or in the Right of any "other Person or persons whatsoever So Help "me God."

That every person liable to pay Tax are to produce a receipt for the last year.

AND BE IT FURTHER ENACTED that for the more Effectual recovery of the Arrears of the last and every preceeding years Tax all and every the said person and persons hereby liable to the payment of the Tax by this Act imposed shall at

the

the time of giving in his her or their Account as herein before required produce to the Collector or Collectors a receipt for the last years Tax or otherwise declare upon Oath (or affirmation as the Case shall be) which the Collectors hereby appointed are Severally and respectively authorized and required to administer (that he, She, or they hath or have paid the Publick Tax for the last and every preceeding year agreeable to the Rates thereof and in Case such person or persons shall be in arrears for the last or any preceeding years Tax, he, she, or they shall then give an Account thereof upon Oath and pay the same to the Collectors accordingly in failure whereof the same shall and may be rated Assessed and Levied as herein after provided.

Or make Oath that they have paid it and every preceeding year.

And if such be in arrear they are to give an Accot.

Upon Oath and pay the same accordingly.

AND BE IT FURTHER ENACTED that in Case any Person or Persons who shall give an account of their Lands Slaves and Effects as herein before required and shall not at the same time pay the Tax thereupon due from him, her, or them, as herein before directed or within Thirty days after such account by him, her or them so given that then it shall and may be Lawful to and for the Several Collectors and they are hereby respectively required to cause the same to be Levied in manner as herein after mentioned.

That persons giving an Accot. of their Tax and not paying at the same time or within 30 days.

The Collectors may levy the same.

AND BE IT FURTHER ENACTED that if any Person or Persons whatsoever Shall neglect or refuse to give an Account of their respective Lands

Persons who shall refuse to give an Accott. of their Lands Lotts &c.

Lands, Lots, Houses, Slaves, Monies let or lying at Interest by Choice Goods and effects as aforesaid at the time and in the manner as by this Act is herein before directed the Collectors respectively and either of them shall and they are hereby severally authorized and required within Ten days after the said first Tuesday of June to rate and Assess every such defaulter and defaulters double the Tax, which he she or they shall have paid for the last Year, or to the best of his and their Knowledge for double the Estate which he she or they shall possess and in either case shall cause the same to be Levied as herein after is directed.

The Collectors are required in 10 ds. after the said first Tuesday in June to assess them in double Tax.

Or to the best of their knowledge, to tax them for double their Estates.

AND to prevent free Mulattoes from evading the payment of the Tax by pretending to be Spaniards or other foreigners Be it further Enacted that every such person who shall be reputed a Mulattoe shall be assessed as such unless he can prove the Contrary . . . .

reputed Mullattoes to pay Tax, unless they can prove the contrary.

AND BE IT FURTHER ENACTED that the Several rates and Taxes hereby rated and imposed shall be Levied on the Goods and Chattels of the Defaulter or Defaulters by warrant under the Hand and Seal of the Collector or Collectors of the Parish wherein such Defaulter or Defaulters shall reside to be directed to any Constable or Constables thereof requiring him or them to Levy the same by Distress and Sale of the Defaulter or Defaulters Goods and Chattels returning to him or them the Overplus if any after

That the tax be levied on the Goods & Chattels of D faulters by Wart. of Distress from the Collectors.

The Charges to be paid by the Defaulters.

ter deducting The Charges following Viz^{t}: for Serving every warrant of Execution One Shilling in the Pound of every hundred pound Levied, and Two pence for every Mile to be computed from the dwelling House of the Constable Levying the same to the place of residence of every such Defaulter or Defaulters and the Collectors respectively sha^{ll} and may take one Shilling and Six pence for every such warrant, and

Constables refusing to do their duty to forfeit £5 to be recovered by warrant of Distress.

every Constable refusing or neglecting to Execute such warrant shall for every Offence forfeit and pay the Sum of Five pounds to be recovered by warrant of distress of any Justice of the Peace where the Offence shall be Committed on due proof thereof made before him by any Collector or Collectors and in case no Goods or

And in case of no Goods the offender to be Committed to Goal.

Chattels of such offender may be found whereon the said distress may be Levied then it shall and may be Lawful for such Justice of the Peace to Commit such Offender to the Common Goal in Savannah there to remain for the Space of three Months or untill the said Sum of Five pounds shall be Satisfied.

Collectors for Savannah & Christ Church parish named.

AND BE IT FURTHER ENACTED that the Several persons herein after named shall be and they are hereby appointed Collectors for the Several parishes herein after mentioned respectively that is to Say, for the Town of Savannah and Parish of Christ Church Robert Bolton, Richard Wylly, and Nathaniel Hall, for the Town

For Ebenezer & St. Matthew.

of Ebenezer and parish of Saint Matthew, Ben-

jamin

jamin Stirk, John Flerl, and Isaac Ford Esquires, For Halifax and Parish of Saint George, John Thomas Junr. Andrew M Corrie and David Lewis Esquires, For the Town of Augusta and parish of Saint Paul, James Jackson Esquire, Robert Germany and George Whitefield, For the Parish of Saint Philip, William Le Conte, and John Davis Esquires for the Town of Sunbury and the parish of Saint John Benjamin Andrew Esquire, Josiah Bacon, and Thomas Hughes, For Darien and parish of Saint Andrew Jonathan Cochran Lachlan McIntosh Esquires and John McCleland, For the Town of Frederica and parish of Saint James, James Bruce Esquire and Charles McDonald, which said Collectors respectively shall before their Entering upon their Office take the Oath following, before any Justice of the Peace for the Parish where they shall reside that is to Say I. A. B. do Solemnly Swear that I will well and faithfully according to the best of my knowledge and ability and so that the Publick Tax shall sustain no loss or damage from any wilful neglect or omission of mine, observe Execute and perform the Several matters and things required of me to be done and performed in and by an Act of the General Assembly of this Province Intitled "An Act for Granting to his "Majesty the Sum of Three Thousand, Three "Hundred and Fifty five pounds Nine Shillings "and one Farthing for the use and Support of "the Government of Georgia for the Year One thousand Seven Hundred and Seventy to be raised

For Halifax & St. George.

For Augusta & St. Paul's.

For St. Philip.

For Sunbury & St. John.

For Darian & St. Andrew, and

For Frederica & St. James.

That the said Collectors before entering upon their Office do take an Oath.

The Oath.

raised at certain rates and after the method therein mentioned, for the more Effectual Collecting of Arrears and for Exempting the Parishes of Saint David, Saint Patrick, Saint Thomas and Saint Mary they not being represented according to the true Intent and meaning thereof So help me God which Oath the said Justice is hereby authorized and required to administer accordingly and to give a Certificate thereof under his Hand and Seal which shall be produced by the Collectors respectively at the time of their delivering their Accounts to the Treasurer as herein after is required.

To be certified by a Justice and produced to the Treasurer.

AND WHEREAS there are Sundry Tracts of Land Lots Houses and Monies the proprietors whereof are not resident in this province Be it therefore further Enacted that all Attorneys Trustees Executors and Administrators or other persons any wise concerned for absentees shall make due return to the Collectors of the parishes respectively where they shall reside of the Estate and Effects they shall so possess or be interested in as Attorneys, Guardians, Trustees Executors or Administrators or otherwise, and shall and they are hereby made liable to the payment of the rates and Taxes Assessed thereon out of their own Estates and Effects in manner as herein before mentioned unless such Attorney or Attorneys Guardian or Guardians, Trustee or Trustees, shall make Oath before the

That Attornies &c do make due returns of the Effects they possess as such &c who are made liable to pay the Tax out of their own Estates.

Unless they make Oath that they have renounced their Attorney Ship.

Collectors

Collectors or one of them that he has renounced his Power and Attorneyship before the Tax became due and without any intent to evade the payment thereof, and every such Attorney and Attorneys, Guardian and Guardians, Trustees Executors and Administrators shall and may deduct the Tax he or they shall so pay out of the Effects of the Absentee in his or their Hands and in case of no such Effects every Such payment shall and is hereby made a Lien and Charge upon the Lands and Chattels of every Such Absentee his heirs, and assigns and shall and may accordingly be recovered at any time afterwards by the person or persons paying the same, his her, or their Executors, or Administrators in any of his Majesty's Courts in this province.

And such Attorney &c may deduct the Taxes out of the Absentees Estates, in case of no Effects the same shall become a Charge upon the Absentees Lands &c.

And Whereas the payment of the Publick Tax hath been evaded by persons Settled on or near the Banks of Savannah River that hold or possess Lands on the opposite side thereof in the Province of South Carolina by removing their Slaves from this province at the time of Collecting the Tax, for remedy whereof Be it further Enacted that all and every such person or persons holding Lands in both Provinces at the time of giving an Account of his and their Lands and Estate to the Collectors as herein before required shall produce to such Collector or Collectors a Receipt or Certificate from the Collector or Collectors of Tax in South Carolina of the

To prevent persons who possess Lands on the Banks of the River Savannah in both Province's evading the Tax.

Enacted

That persons holding Lands in both Provinces do produce the Collectors of So. Carolina's receipts.

for the number of Slaves they pay Tax there or make Oath to what they have paid.

the Number of Slaves for which Tax shall have been paid by him, her, or them for the present year or otherwise shall make Oath before the Collector or Collectors aforesaid to the Effect following which they are hereby authorized and required to administer Viz^{t}: that he she or they hath paid the Publick Tax in the Province of South Carolina for the present year for all his, her, or their Slaves other than such as are contained in the Account now delivered into the Collector or Collectors as aforesaid pursuant to the directions of this Act, and all and every person and persons who shall refuse to produce such Receipt or Certificate or to make Oath as aforesaid, shall be liable to pay Tax for the whole Number of his, her, or their Slaves and the said Collectors, shall in Default of payment accordingly Issue warrants of Execution for the same as herein before directed.

The Oath.

Persons refusing lyable to pay Tax for their whole Slaves.

Collectors shall before the first Tuesday in August, or within ten days after close their Accounts & deliver them to the Treasurer.

AND BE IT FURTHER ENACTED that the said Collectors respectively shall on or before the first Tuesday of August next after the passing of this Act or within Ten days after close their Accounts and deliver the same in person together with the Tax list aforesaid, And also an account of the Lands held by absentees or persons not resident in the Parish unto the Treasurer of this Province and at the same time shall pay him all Such monies as by them or either of them shall have been respectively received in pursuance of this Act after deducting for Com-

pay the Ballance after deducting Commissions.

misssions

missions at the rate of Sixpence for every pound and no more and the said Collectors respectively shall sign The Tax list by them delivered, and at the same time upon Oath, shall deliver to the Treasurer an Account of their own Lands, Slaves and Estates in like manner as by this Act is required of others to be given to them and shall pay the Taxes for the same accordingly in Default whereof the same shall and may be assessed and Levied by the Treasurer in manner as aforesaid.

And give in an Accott. of and pay their own Tax.

AND BE IT FURTHER ENACTED that all Deeds and Conveyances whatsoever of any Lands Tenements Goods or Chattels by any person or persons whatsoever made with an Intent to avoid being assessed or paying Tax for the same as aforesaid shall and are hereby declared to be fraudulent and Void to all Intents and purposes whatsoever.

Deeds of conveyance made to avoid paying Tax declared Fraudulent.

AND BE IT FURTHER ENACTED that the several Collectors or any or either of them who shall refuse to do and perform the Several matters hereby required of them respectively to be done within the time prescribed by this Act shall for every Such Neglect or refusal forfeit the Sum of Fifty pounds to his Majesty for the support of this Government to be Sued for and recovered by the Treasurer in the General Court of Pleas in this Province.

Collectors refusing to do their duty, as required by this Act to forfeit £50.

AND BE IT ALSO ENACTED that in Case any Collector

That if Collectors for the present or former Taxes, refuse to give an Account thereof within the time limited.

lector or Collectors of the present or any former Taxes shall refuse or neglect to give in upon Oath to the Treasurer a just and true account of all monies received by him or them or due to his Majesty on Account of the Tax herein imposed or on Account of any former Tax within their Several and respective Districts by the time herein before Limited and also a List of all Non residents, whose Tax has not been paid, and of all Defaulters in the said Districts, that then it shall and may be Lawful for the Treasurer, and he is hereby enjoined by warrant directed to any Constable for the parish where the Collectors may respectively reside under his Hand and Seal, to Commit such Collector or Collectors, to the Common Goal in Savannah there to remain untill he or they shall have rendered upon Oath to the Treasurer a full and Satisfactory Account of and shall have paid all such Sums so as aforesaid by him or them Collected due to his Majesty in this or their Several and respective districts by Virtue of this or any former Tax Act, and have paid the reasonable Charges for such Commitment And the Several Constables for the parishes or Districts wherein such Collector or Collectors shall reside are hereby required to Execute such warrant or Commitment without any Delay and every Such Constable refusing or neglecting to Execute such Warrant or Commitment shall for every offence forfeit and pay the Sum of Ten Pounds to be recovered by Warrant of distress

The treasurer shall by his Warrant commit such to Goal without Bail or mainprise.

untill they have rendered sufficient satisfaction.

Constables to execute the Collectors Warrants.

on refusal to forfeit £10.

from

from any Justice of the Peace in the Parish or district where the Offence shall be committed on a Certificate from the Treasurer of the manner of such refusal or neglect and which Certificate is hereby declared to be Sufficient proof and in Case no Goods or Chattels of such Offender be found whereon the said distress may be Levied then it shall and may be Lawful for such Justice of the Peace to Commit such Offender to the Common Goal in Savannah, there to remain for the space of Three Months or untill the said Sum of Ten pounds shall be Satisfied Provided Nevertheless that if the said Collector or Collectors shall prove upon Oath to the Treasurer that they have used every means directed by this Act for the recovery of the Tax due by the said Defaulters and no Effects could be found whereupon to Levy the same then and in that Case the said Collector or Collectors respectively shall not be liable for or chargeable with the payment of the Sums so due from the Defaulters as aforesaid . . . .

Proviso That if the Collectors prove to the Treasurer that they have done their duty & endeavored to recover Tax then they shall not be liable for the sums due by defaulters.

And be it further Enacted that the Governour and Council shall give an Order to the Treasurer for the time being who shall Issue the monies raised and Granted as aforesaid in the following manner that is to Say,

That the Governor & Council shall give an order to the Treasurer who shall issue the moneys Vizt.

To the Provost Marshal for Summoning Juries publishing proclamations

To the Provost Marshall for Summoning Juries &c 7"10"....

mations executing Writs of Elections & attending the Courts of Oyer and Terminer from the Twenty Ninth of September One thousand Seven hundred & Sixty Nine to the twenty Ninth of December following the Sum of Seven Pounds Ten Shillings _____ £7''10'' 0

To him for maintenance of Prisoners £30''__''__

To the Provost Marshal for the Maintenance of Prisoners from the 29th of September 1769 to the 29th September 1770 a Sum not exceeding thirty pounds 30''__''__

The Cryer of the Court 5''__''__

To the Cryer and Keeper of the Court for December Sessions 1769 a Salary Five Pounds __ _____ 5''__''__

The Coroner 10''__''__

To the Corroners of

this

Tax Act.

this Province a Sum not exceeding Ten Pounds__ 10''__''__

To the Clerk of the Upper House of Assembly his Salary to the 29th of September 1770 Thirty Pounds __ 30''__''__

The Clerk of the upper house 30"...."...

To Him as Clerk of the Council for transmitting Minutes and other Incidental Business a Sum not exceeding Seventy Pounds __ ______ 70''__''__

To him for transmitting minutes 70"...."...

To the Clerk of the Commons House of Assembly for his attendance transmitting of Minutes, Drawing of Bills, ingrossing the same, and all other incidental Business including his Salary and other Extra Business this Session from the 29th of September

The Clerk of the Commons house 200"...."...

1769 to the 29th September 1770 Two hundred pounds _____ 200"__"__

Fire & Candles for the Genl. Assembly 5"__"__

For fire and Candles for the General Assembly a Sum not exceeding Five Pounds ____ 5"__"__

Messenger of the Upper house 30"__"__

To the Messenger and door Keeper of the upper House a Salary to the 29th September 1770 Thirty Pounds __ _____ 30"__"__

Messenger of the Commons house 25"__"__

To the Messenger and door Keeper of the Commons House a Salary from the 29th September 1769 to the 29th September 1770 Twenty Five Pounds __ _____ 25"__"__

Apprehending Offenders 20"__"__

For apprehending Offenders a Sum not exceeding Twenty Pounds __ 20"__"__

Expresses 40"__"__

For Expresses sent in Service of the Government a

Sum

Tax Act.

Sum not exceeding Forty pounds 40''__''__

To the Publick Commissary a Salary from the 29th of September 1769 to the 29th March 1770 Ten Pounds 10''__''__

Publick Commissary 10"__"__

For Governor Ellis's Annuity Fifty Pounds _____ 50''__''__

Govr. Ellis's annuity £50"__"__

A Bounty to the Several Licensed Pilots of this province as an Inducement to exert themselves in the discharge of their Duty to be Issued and paid on a Certificate of the respective Commissioners named in and by an Act for regulating the Pilotage of Vessels in the Several Ports of this Province to be divided and paid to the said pilots in proportion to the

A Bounty to the Pilots 100"__"__

Number

Number of Vessels they shall respectively bring in from without the Barr, Proof thereof being made upon oath by the Master and Commander of every such Vessel before the Commanding Officer at Fort George on the Island of Cockspur or the Collector and Comptroller of the Country duties, for the port of Sunbury (as the Case may be) which Oath the said Officer and Collector and Comptroller respectively are hereby authorised and required to administer to the Several Masters or Commanders of Vessels arriving in this

Province

Province as aforesaid (Vessels imployed in the Coasting trade only Excepted) a Sum not exceeding One hundred pounds _____ 100"__"__

To the Medway Pilots a Salary Twenty Pounds__ 20"__"__

The Medway Pilots £20"__"__

For an Officer at Ten pounds per Month and five men at thirty Shillings per Month each to Garrison Fort George on the Island of Cockspur Two hundred and Ten pounds__ 210"__"__

To Garrison Fort George 210"__"__

To Benjamin Franklin Esquire agent for this Province his Salary one hundred pounds__ 100"__"__

To Benjn. Franklin Esqr. agent 100"__"__

To the Church Wardens of the Parish of Christ Church for keeping in repair and working

The Church Wardens of Ch. Church 10"__"__

the

the Fire Engine a Sum not exceeding Ten pounds__ 10"__"__

To John Rae and Samuel Elbert Esquires for enabling the People lately arrived from Ireland in the Ship Hopewell Thomas Ashe Master to go to their intended Settlement in the Township of Queensborough two hundred pounds __ ______ 200"__"__

The new Settlers at Queensborough £200"___"___

To John Rae Esquire for purchasing Flax Seed to be distributed by him to the Settlers in this Province Ten pounds 10"__"__

To John Rae for Flax seed to be purchased by him 10"___"___

To the Honourable Noble Wimberly Jones Esquire Speaker for the purchase of a Mace for the use of the Commons

To the Speaker to purchase a Mase &c. 150"___"___

House

Tax Act.

House of Assembly, and Two Gowns one for the Speaker and the other for the clerk a Sum not exceeding one hundred and Fifty Pounds 150"__"__

To his Excellency the Governour for the payment of a Scout to be raised for the protection of the Settlement of Wrightsborough and parts adjacent from the Insults of Straggling Indians a Sum not exceed- One hundred pounds _____ 100"__"__

To His Excellency for a Scout in the Wrights borough Settlement 100"__"__

To the Church Wardens of the Parish of Christ Church for supporting the Transient poor which have unavoidably come to Savannah One hundred pounds _____ 100"__"__

The Church wardens of Christ Church for the Transient poor 100"__"__

To

To Daniel Nunes £10"__"__

To Daniel Nunes, Searcher over and above the Sum provided for him by an Act for laying a Duty on Goods imported from the Northward Colonies Ten pounds_____ 10"__"__

For Bounties on Hemp &c. 20"__"__

For Bounties agreeable to Act of Assembly on Hemp Flax and Wheat Flour a Sum not exceeding Twenty Pounds _____ 20"__"__

Jeremiah Slitermans Estate 10"__"__

To the Estate of Jeremiah Sliterman deceased for work done by him as Armourer from the 12th December 1768 a Sum not exceeding Ten pounds _____ 10"__"__

for inclosing the Assembly house Lot 125"__"__

To the Honourable Noble Wimberly Jones Esquire, John Smith and William Young Esqrs. for inclo-

sing

sing the Lot on which the Assembly House Stands an additional Sum (to enable them to compleat the same) a Sum not exceeding One hundred and twenty five pounds____ 125''__''__

To Josiah Tatnell Esquire for hire of a Boat and Hands and other Expences attending a Detachment of the Militia on a Scout after fugitive Slaves, Five pounds Nine Shillings and five pence _____ 5'' 9'' 5

To Josiah Tatnell 5''9''5

To Robert Baillie Esquire for holding an Inquest on the Body of Jame McIntosh in the Parish of St. Andrew One Pound Ten Shillings____ 1''10''__

To Robert Baillie 1''10''....

To the Honourable Noble Wimberly Jones

for medicines to Prisoners 3''13''6

Jones Esquire for Medicines Supplied and provided for prisoners in Goal three pounds thirteen shillings and Sixpence ---- ------ 3''13'' 6

To Abigail Minis 22''14''11

To Abigail Minis her Account Twenty Two pounds fourteen Shillings and Eleven pence---- 22''14''11

Thomas Flyming 1''--''--

To Thomas Flyming for causing Corporal punishment to be inflicted upon Negroes One Pound ---------- 1''--''--

the regr. of Grants 2''18''8

To the Register of Grants his Account Two Pounds Eighteen Shillings and Eight pence ----- 2''18'' 8

Thos. Lee for Extra Services 25''--''--

To Thomas Lee Messenger and Door keeper of the Commons House of Assembly for Extra Services

Tax Act.

vices Twenty five pounds -- ------	25''--''--	
To Henry Yonge Esquire Surveyor General his Account Four pounds twelve Shillings -- -----	4''12''--	Henry Yonge Esqr. 4''12''....
To Lee and Weddall their account for Work done on the Assembly Room One Pound Sixteen Shillings and a half penny	1''16'' 0½	Lee & Weddall 1''16''0 1-2
To Philip Box Esquire his Account One Pound three Shillings and three pence -----	1'' 3'' 3	To Philip Box 1''3''3
To John Rae Esquire Ballance his Account of Sundries supplied the Settlers of Queensborough as per the Commissioners Accounts Twenty Eight pounds Nineteen Shillings and Six pence three farthings -- -------	28''19'' 6¾	To John Rae for Queens borough 28''19''6 3-4

To

To John Flerl 14"9"....

To John Flerl Esquire for the Waggoners at Ebenezer an additional allowance for carrying the Settlers to Queensborough Fourteen Pounds Nine Shillings___ 14" 9"__

To the Clerk of the Council his Acct. Wrights borough 28"5"....

To the Clerk of the Council his Account for the Settlement of Wrightsborough Twenty Eight pounds five Shillings -- -------- 28" 5"__

The same for Queensborough 10"11"3

To the Clerk of the Council his Account for the Settlement of Queensborough Ten Pounds Eleven shillings and three pence__ 10"11" 3

To John Herd for a Mare 10"...."....

To John Herd for a Mare which he found in possession of an Indian on his producing a Certificate

tificate that he did by the advice of Mr. Galphin and others give up the said Mare rather than occasion a dispute which seemed likely to arise and feared might have been attended with Ill consequences the Sum of Ten Pounds -- ------ 10''--''--

To Edward Barnard Esquire his Account as Coroner and Justice of the Peace Five pounds ten Shillings -- --------- 5''10''--

To Edwd. Barnard £5"10"....

To the Reverend Mr. Ellington as Minister for the Parish of Saint Paul for Two years Salary Thirty Pounds -- 30''--''--

To Mr. Ellington 30"...."...

To John Lyons his Account Fifteen Shillings and

John Lyons ...."15"7 ½

Seven

Tax Act.

	Seven pence half penny -- --------	00''15'' 7½
Senr. Assistant Justice two Sessions 15''15''3	To the Honourable Noble Jones Esquire his Account as Senior Justice for December Sessions 1768 & June Sessions 1769 Fifteen pounds fifteen shillings and three pence--	15''15'' 3
To Thos. Shruder Esqr. £102''5''5''....	To Thomas Shruder Esquire Deputy Surveyor General his account one Hundred and Two pounds five Shillings -- --------	102'' 5''--
To John Simpson 9''3''....	To John Simpson Esquire Clerk of the Commons House Ballance his last years Account Nine pounds three Shillings -- -----	9'' 3''--
To John Spencer 3''12''---	To John Spencer his Account Three pounds twelve Shillings--	3''12''--

To

Tax Act.

To John Harvey his Account One pound Ten Shillings -- --------- 1"10"--

To John Harvey 1"10"----

To Thomas Moodie Esquire, Deputy Secretary for the Governors and his Fees for the Settlement of Wrightsborough Eighty five pounds Sixteen Shillings and five pence half penny and for the same fees for the Settlement of Queensborough Twenty Nine pounds ten Shillings and Eleven pence -- -------- 115" 7" 4½

To Thos. Moodie for the Governor & Self 115"7"4 1-?

To William Graeme Esquire as Attorney General his Account Seventy four pounds four Shillings and four pence -- -------- 74" 4" 4

Willm. Greme 74"4"4

To Preston and Pryce Clerks of the Crown their

Preston & Pryce 10"---"11

Account

Account the Sum of Twenty Pounds and Eleven pence 20''__''11

The Coroner 7''17''9

To James Whitefield Esquire Coroner Ballance of his Account Seven Pounds Seventeen Shillings and Nine pence ------ 7''17'' 9

To his Excellency the Governor for Sundry Expences paid by him for the Guard in Savannah Eleven pounds Eighteen Shillings and Eleven pence ---- 11''18''11

To his Excelly for the Guard 11''18''11

To James Johnston Printer his Account for printing Laws &c: Twenty five pounds Eighteen Shillings and Six pence ------- 25''18'' 6

To James Johnson 25''18''6

To Thomas Lee Messenger his account for Serving Two warrants by Order of the House Six pounds four Shillings -- 6'' 4''__

Thomas Lee 6''4''__

To

Tax Act.

To the Commissioners of the Court House the Ballance of Expence paid by them for Building the same as per their Account Sixty pounds Sixteen Shillings and Eight pence ----- 60"16" 8

To the Commissioners of the Court house 60"16"8

To the Honourable James Edward Powell Esquire his account Three pounds five Shillings -- --------- 3" 5"--

Jas. Ed. Powell Esqr 3"5"....

To William Barnard his Account for Surveys &c: of Wrightsborough Sixty Eight pounds Eleven Shillings and Nine pence to be paid when attested --- 68"11" 9

William Barnard 68"11"9

To James McFarland his Account for Surveys of Wrightsborough Eighteen Pounds One Shilling and four pence ------ 18" 1" 4

James Mc. farland 18"1"4

To

Samuel Savery 1"6"9

To Samuel Savery for Surveying Lands for Saint Jago one pound Six Shillings and Nine pence ------ 1" 6" 9

repairing the Governor's house 80"---"---

To William Ewen John Rae and William Le Conte Esquires for repairing the House wherein the Governor now lives a Sum nor exceeding Eighty Pounds -- ------ 80"--"--

Charles Hudson 15"---"---

To Charles Hudson his Account over and above an Account given in by William Harding to the Commissioners for the Settlement of Queensborough Fifteen pounds -- 15"--"--

George Mc.-Intosh 10"---"---

To George M^{c}Intosh Esquire his Account for Surveying Butter Milk Bluff Ten

pounds

Tax Act.

pounds and three pence -- -------- 10''--'' 3

To the Provost Marshall Ballance of his Account Twenty Seven pounds Sixteen Shillings and Eight pence ----- 27''16'' 8

The Provost Marshall 27''16''8

To Frederick Fahm his Account Five pounds Eleven Shillings and Two pence ------ ---- 5''11'' 2

Frederick Fam 5''11''2

To Peter Tondee his Account Three pounds fourteen Shillings -------- 3''14''--

Peter Tondee 3''14''....

To John Rae Esquire upon his giving good and Sufficient Titles to the Comissioners of the Town and Common of Savannah in Trust of the Lot holders of the same as Common Two Lots Situate on the Strand of Savannah con-

To John Rae for two Lots for the use of the Publick 480''....''....

taining

taining — feet in front — feet in depth of which Lots one is adjoining the House in possession of Mrs. Elizabeth Simpson, Relict of the Hon. William Simpson Esquire deceased the other adjoining the Common near the House in possession of Thomas Netherclift and Commonly used as a Street Four hundred and Eighty pounds __ 480''__''__

To the Publick Treasurer Ballance due on Sundry Accounts for apprehending offenders over and above the Sum allowed by last Tax Act Thirty Two pounds fifteen Shillings and Nine pence _____ 32''15'' 9

To the Publick Treasurer 32''15''9

To

Tax Act.

To James Johnston for printing the Minutes of the Commons House of Assembly a Sum not exceeding Twenty Pounds -- ------ 20''--''-- — To James Johnston 20''---''---

To Robert Bolton his Account Seven pounds Eleven Shillings and three pence ----- 7''11'' 3 — To Robert Bolton 7''11''3

£3124''17''10¼

Collectors Commissions on the above Sum at £2½ per Cent -- --------- £78'' 4'' 5 — Collrs. Commissions 78''4''5

Treasurers Commissions on Neat Tax to be paid to him at £5 per Cent -- ---------- 152'' 6'' 9 — Treasurers do. 152''6''9

230''11'' 2

£3355'' 9'' 0¼

WHEREAS it will be attended with Manifest detriment and Inconveniences to the several persons — Enacted

sons mentioned in this Act whose demands against the Publick are now become due and owing to wait any Considerable Length of time or untill the Tax imposed by this Act shall be Collected for remedy whereof Be it further Enacted that the Publick Treasurer for the time being is hereby empowered and required immediately from and after the passing of this Act to Issue Certificates for the payment of the Several Sums herein Contained which Certificates shall be received by the said Treasurer from any of the Collectors or other persons in discharge of the Publick Tax or brought to be exchanged by him and the whole Sum Sunk within one year after the passing of this Act after which time the Publick shall not be liable to provide for the same.

That the Treasurer do issue Certificates for the payment of the Sums herein contained. which shall be again recd. by him in discharge of the Publick Tax. And the whole sum Sunk in one year. Fines & Penalties by this Act, shall be to his Majesty.

And be it further Enacted that the fines and penalties by this Act inflicted not herein before disposed of shall be to his Majesty and applied in Aid of the General Tax . . . . . .

By order of the Commons House of Assembly

N. W. JONES Speaker.

By order of the Upper House of Assembly

JAMES HABERSHAM President.

Council Chamber
10th May 1770.

Assented to

JAMES WRIGHT.

State

Agent in Great Britain.

(State Archives.)

AN ORDINANCE.

For reappointing Benjamin Franklin Esquire Agent to Sollicit the Affairs of this Province in Great Britain to Commence the first day of June next and to Continue for one Year.

WHEREAS the Ordinance Appointing Benjamin Franklin Esquire Agent for this Province in Great Britain will Expire on the first day of June next Be it therefore Ordained AND IT IS HEREBY ORDAINED by his Excellency James Wright Esquire Captain General and Governor in Chief of his Majestys Province of Georgia by and with the Advice and Consent of the Honourable Council and Commons House of Assembly of the said province in General Assembly met and by the Authority of the same That the said Benjamin Franklin be and he is hereby declared nominated and Reappointed Agent to Represent Sollicit and Transact the affairs of this Province in Great Britain.

AND BE IT FURTHER ORDAINED That the said Benjamin Franklin shall be and he is hereby fully Authorized and impowered to follow & pursue all such Instructions as he shall from time to time Receive from the General Assembly of this Province or from the Committee herein after appointed to Correspond with him.

And

Agent in Great Britain.

AND BE IT FURTHER ORDAINED That the Honourable James Habersham, Noble Jones, James Edward Powell, John Graham and James Read Esquires, the Honourable Noble Wimberly Jones Esquire John Mullryne, John Milledge, Archibald Bulloch, William Ewen, Charles Odingsells, Phillip Box, William Young and Richard Cunningham Crooke Esquires untill others shall be appointed or any seven of them two of which to be of the Council shall be and they are hereby nominated & appointed a Committee to Correspond with the said Benjamin Franklin and give him such Orders and instructions from time to time as they shall judge for the Service of this province. And the said Agent is hereby directed and Required in all his provincial Correspondence to Address his Letters to the person first named in this Ordinance and the other members of the said Committee, who shall as soon as may be order the Clerk or other person appointed to summon the members of the said Committee to meet and take under Consideration the matters contained in such Letters And in Case of the absence from Savannah of the person first in Nomination then any other member of the Committee who shall be present shall cause the said Committee to be Summoned and proceed to Business as before directed, but no Letter to be opened or the Seal broken upon pretense whatsoever before such number of the Committee as aforesaid are met Provided nevertheless that if after being Summoned as afore-

said

Agent in Great Britain.

said any of the persons so summoned shall Refuse or Neglect to Attend then any Seven of the Committee before named are hereby impowered to proceed to Business as aforesaid.

AND BE IT FURTHER ORDAINED that there shall be allowed and paid unto the said Benjamin Franklin for his Agency the Sum of One Hundred pounds Sterling money of Great Britain over and above his Reasonable Charges and Disbursements on his Application to the Several Offices & Boards in Negociating the Affairs of this Province.

AND BE IT FURTHER ORDAINED that the said Benjamin Franklin shall be and continue Agent for this Province for one whole Year to Commence the first day of June next in the Year of our Lord One thousand Seven hundred and Seventy.

By order of the Commons House of Assembly

N. W. JONES, *Speaker.*

By Order of the upper House of Assembly

JAMES HABERSHAM *President*

Council Chamber

10th May 1770

Assented to

JA: WRIGHT.

State

(State Archives.)

AN ACT

For further Amending an Act, Intitled "An Act for the better Regulating the Town of Savannah, and for ascertaining the Common thereunto belonging."

Preamble.

WHEREAS in and by an Act of Assembly passed the Ninth day of June, in the Year of our Lord One Thousand Seven Hundred and Sixty-one, Intitled "An Act for amending an Act for the better Regulating the Town of Savannah, and for ascertaining the Common thereunto belonging," It was Enacted That the Plan to that Act annexed should be thenceforth taken for and deemed to be the true Plan of the said Town, and that the several References made therein to the Plan in the Surveyor General's Office should from thenceforth be taken and deemed to be made to the Plan thereunto annexed, any thing in the said Act contained to the Contrary notwithstanding: AND WHEREAS in the Plan to the said Act annexed the Several Wharf Lots under the Bank or Bluff of the said Town and Common of Savannah and the Lines or Limits of the said Common were not laid down or Ascertained, for want of which many disputes Controversies and Suits of Law may arise: AND WHEREAS mistakes were made in the figures Respecting the width of several of the Streets and Lanes in the said Town: We therefore

fore pray your most Sacred Majesty that it may be enacted, AND BE IT ENACTED by his Excellency James Wright Esquire Captain General and Governor in Chief in and over this his Majestys Province of Georgia by and with the Advice and Consent of the Honourable Council and Commons House of Assembly of the said Province in General Assembly met and by the Authority of the same, That the Plan annexed to this Act shall from henceforth be held, taken for and Deemed the true Plan of the said Town and Common of Savannah, Including the Several Wharf Lots under the Bank or Bluff of the said Town and Common, and that the Several References made in the said Recited Acts to the Plan in the Surveyor General's Office shall be henceforth taken and Deemed to be made, and shall be made and had to the said Plan hereunto annexed, any thing in the said Acts to the Contrary notwithstanding.

What plan to be deemed the true one of the Town.

2. AND BE IT FURTHER ENACTED That all and every owner Possessor of any Wharf Lot under the Bank or Bluff of the said Town and Common or any Person or Persons whatsoever who have or shall Erect any Building Fence or Wharf under the said Bank or Bluff so as to inclose or take in any part of the Land or Space at the End of the Several Streets or otherwise Reserved and laid down in the Plan hereunto annexed as and for Publick Use or landings under the same shall be proceeded against in like manner as is directed in Case of Persons

Persons inclosing or taking in any part of the Highway, Streets, Squares, Lanes, or Alleys, belonging to or within the said Town of Savannah, in and by the first Clause of the said Act for the better Regulating the Town of Savannah, and for ascertaining the Commons thereunto belonging.

By Order of the Commons House of Assembly,

N W JONES Speaker

By Order of the Upper House of Assembly

JAMES HABERSHAM President

Council Chamber
10th May 1770

Assented to

JAMES WRIGHT

(State Archives.)

AN ACT

For Appointing Inspectors of Tobacco and to prevent the Exportation of bad and Unmerchantable Tobacco.

WHEREAS the encouragement of the Culture

ture of Tobacco in this Province will be attended with great Advantages to the back Settlements of this Province where the Lands are particularly adapted to the same, AND WHEREAS in Order to prevent any bad or unmerchantable Tobacco being offered for Sale or exported from this Province it will be proper that untill further and other necessary Regulations be made for that purpose Inspectors should be appointed to View and examine the same We therefore pray your most Sacred Majesty that it may be enacted AND BE IT ENACTED by his Excellency James Wright Esquire Captain General and Governor in Chief of his Majestys Province of Georgia by and with the Advice and Consent of the Honourable Council and Commons House of Assembly of the said Province in General Assembly met and by the Authority of the same That all Tobacco which shall be Exported from this Province after the first day of June next ensuing shall be first Inspected by the Inspectors herein after named.

AND BE IT ENACTED That all Tobacco which shall be brought for Sale and Exportatin shall be viewed by any of the Inspectors herein named that is to Say Andrew Elton Wells and James Simpson who are hereby appointed Inspectors of Tobacco for the Town and Port of Savannah, or by James Kitchen and Samuel Millar who are hereby appointed Inspectors of Tobacco for the Town and Port of

Sunbury

Sunbury, or by Sherwood Bugg and Edmund Bugg who are hereby appointed Inspectors of Tobacco for the Town of Augusta, which said Inspectors shall open and break every Hogshead Cask or Case of Tobacco so brought to them or any of them to be inspected & shall diligently View and Examine the same and if they or any two of them shall agree that the same is good sound well conditioned, Merchantable and free from Trash Sand and Dirt and if in Leaf tied up with a leaf of Equal goodness, Then such Tobacco shall be weighed in Scales with weights of the Lawful Standard, and the said Inspectors or one of them shall Stamp every such Hogshead Cask or Case wherein is contained such Tobacco examined and found as aforesaid with the word Georgia, and the name of the Inspector or Inspectors who has or have Inspected the same, and also mark the Tare of such Hogshead Cask or Case thereon, together with the Quantity of Tobacco therein Contained.

AND BE IT ENACTED that the said Inspectors shall Receive and be paid Six pence for every hundred pounds weight of Tobacco by them so Viewed and Inspected, weighed & Marked to be paid by the Publick Treasurer out of such monies as shall by the General Assembly be for that purpose provided, and the Cooperage thereof shall be paid by the Owner or Owners of such Tobacco.

AND BE IT ENACTED That the Inspectors

tors by this Act appointed shall before they enter upon the duty of their Office take the following Oath before any Justice of the Peace to wit "I A B, do Solemnly Swear that I will "Carefully View and Examine all Tobacco "brought to me to be inspected for Sale and "Exportation and to the best of my Skill & "Judgment View and Examine the same and "faithfully Discharge the Duty of an Inspector "without favour Affection or Partiality So "help me God"

AND BE IT FURTHER ENACTED That if any Inspector shall Stamp any Hogshead Cask or Case which shall be found to Contain any bad or unsound Tobacco or Trash or not well packed such Inspector shall forfeit and pay for every hundred pounds weight of Tobacco so Stamped the sum of Five Shillings.

AND BE IT FURTHER ENACTED that no person or persons whatsoever shall export or Carry off, from this province any Tobacco packed in any Hogshead Cask Case or other package unless such Tobacco shall have been Examined and Stamped by the said Inspectors or any one of them under the Penalty of Fifteen Shillings for every hundred pounds weight of Tobacco so Exported.

AND BE IT ENACTED that in Case of Refusal to Act Death or Departure from the prov-

ince

ince of any of the said Inspectors it shall and may be Lawful to & for the Governor or Commander in Chief for the time being by and with the Advice and consent of the Honourable Council to appoint another person in the Room of such Inspector so Refusing to Act dying or departing the Province.

AND BE IT ENACTED that all fines and forfeitures incurred by Virtue of this Act if under the sum of Eight pounds shall be Recovered as directed in and by an Act "Intituled An Act for the more easy and Speedy Recovery of Small Debts and Damages" and all Sums above Eight pounds to be Recovered by Bill plaint or Information in the General Court of Pleas in this Province.

AND BE IT FURTHER ENACTED that this Act shall Continue and be in force for and during the Term of One Year, and from thence to the end of the next Session of the General Assembly and no longer.

By order of the Commons House of Assembly
N W JONES Speaker

By Order of the upper House of Assembly.
JAMES HABERSHAM President

Council Chamber
10th May 1770.

Assented to
JA: WRIGHT.

State

Ordering and Governing Slaves.

(State Archives.)

An act for ordering and governing slaves within this province, and for establishing a jurisdiction for the trial of offences committed by such slaves, and other persons therein mentioned, and to prevent the inveighling, and carrying away slaves from their masters, owners, or employers.

1. WHEREAS, from the increasing number of slaves in this province it is necessary as well to make proper regulations for the future ordering and governing such slaves, and to ascertain and prescribe the punishment of crimes by them committed, as to settle and limit by positive laws, the extent of the power of the owners of such slaves over them so that they may be kept in due subjection and obedience, and owners or persons having the care and management of such slaves may be restrained from exercising unnecessary rigor or wanton cruelty over them, THEREFORE BE IT ENACTED, That all negroes, indians, mulattoes, or mestizoes, who now are, or hereafter shall be in this province, (free Indians in amity with this government, and negroes, mulattoes, or mustizoes, who now are or hereafter shall become free excepted) and all their issue and off-spring born, or to be born, shall be, and they are hereby declared to be and remain forever hereafter absolute slaves, and shall follow the condition of the mother, and shall be taken and deemed in law to be chattels personal in the

Preamble.

the hands of their respective owners and possessors, and their executors, administrators and assigns to all intents and purposes whatsoever: PROVIDED ALWAYS, That if any person or persons whatsoever, on behalf of any negro, Indian, mulatto, or mustizoe, do apply to the chief justice, or justices of his majesty's general court by petition either during the sitting of the said court, or before the chief justice, or any of the justices of the same court, at any time in the vacation, the said chief justice, or any of the said justices, shall be, and he and they is, and are hereby empowered to admit any such person, so applying to be guardian for any negro, Indian, mulatto, or mustizoe, claiming his or her freedom, and such guardian shall be enabled, entitled and capable in law, to bring an action of tresspass, in the nature of ravishment of ward, against any person or persons who shall claim property in, or shall be in possession of any such negro, Indian, mulatto, or mustizoe; and the defendant or defendants, shall and may plead the general issue on such action brought, and the special matter may and shall be given in evidence, and upon general or special verdict found, judgment shall be given according to the very right of the cause, without having any regard to any defect in the proceedings, either in form or in substance, and if judgment shall be given for the plaintiff, a special entry shall be made, declaring that the ward of the plaintiff if free, and the

Proviso.

Slaves suing for their freedom, to have guardians appointed for them.

jury

jury shall assess damages which the plaintiff's ward hath sustained, and the court shall give judgment and award execution against the defendant, for such damages, with full costs of suit, but in case judgment shall be given for the defendant, the said court is hereby fully empowered to inflict such corporeal punishment, not extending to life or limb, on the ward of the plaintiff as they in their discretion shall think fit: PROVIDED ALWAYS, That in any action or suit, to be brought in pursuance of the direction of this act, the burthen of the proof shall lie on the plaintiff, and it shall always be presumed that every negro, Indian, mulatto, or mustizoe, (except as before excepted) is a slave, unless the contrary can be made appear.

Proviso.

2. AND BE IT FURTHER ENACTED, That in every action or suit to be brought by any such guardian as aforesaid, appointed pursuant to the direction of this act, the defendant shall enter into a recognizance, with one or more sufficient sureties, to the plaintiff, in such sum as the said general court shall direct, with the condition that he shall produce the ward of the plaintiff at all times when required by the court, unless such defendant shall prove upon oath to the satisfaction of the said court, his inability to produce such ward, and that whilst such action or suit shall be depending and undetermined, the ward of the plaintiff shall not be abused or misused.

In actions brought by guardian, defendant must produce the ward of the plaintiff.

And

No persons to permit their slaves to go out of the limits herein mentioned without a ticket.

3. And for the better keeping slaves in due order and subjection, BE IT FURTHER ENACTED, That no person whatsoever shall permit or suffer any slave under his or their care or management, and who lives or is employed in any town in this province, to go out of the limits of the said town or towns, or any such slave who lives in the country, to go out of the plantation to which such slave belongs, or in which plantation such slave is usually employed, without a ticket signed and subscribed by the master or other person having the care or charge of such slave, or by some other person by his or their order, direction and consent; and every slave which shall be found out of any town in this province, if such slave lives or is usually employed there, or out of the plantation to which such slave belongs, or in which such slave is usually employed, if such slave lives in the country, without a ticket as aforesaid, or without a white person in his or her company, shall be punished with whipping on the bare back, not exceeding twenty lashes.

Penalty on persons giving tickets to slaves without consent of their owners.

4. AND BE IT FURTHER ENACTED, That if any person or persons shall presume to give a ticket or license to any slave who is the property or under the care or charge of another, without the consent of the owner or other person having the charge of such slave, he, she or they, shall forfeit to the owner a sum not exceeding five pounds, over and above the damage that may

accrue

accrue to such owner by the absence of such slave.

Slaves being out of the place where they live and refuse to be examined, how to be treated. Proviso.

5. And be it further enacted, That if any slave, who shall be out of the house or plantation where such slave doth live, or is usually employed, or without some white person in company with such slave, shall refuse to submit to the examination of any white person, it shall be lawful for any such white person to pursue, apprehend and moderately correct such slave, and if such slave shall assault and strike such white person, such slave may be lawfully killed. Provided always, That proof be made of such assault, or striking as aforesaid, to the satisfaction of any two justices of the peace, and seven freeholders, to be summoned for that purpose; and if such proof cannot be made to the satisfaction of the said justices and freeholders, then and in such case, the person or persons killing such slave shall forfeit and pay to the owner the value of such slave so killed, to be ascertained on oath by the said justices and free-holders, and to be recovered, if exceeding the sum of eight* pounds, in the general court of pleas in this province; and if not exceeding the sum of eight pounds, to be recovered by the said justices by warrant of distress and sale of the offender's goods; and in case no goods can be found whereupon to levy such distress, then the offender or offenders shall be committed by the said

*Justices Jurisdiction confined to thirty dollars.

justices

justices to the common jail, there to remain until the said value shall be paid, or for any time not exceeding six months.

Penalties on persons beating slaves in the employment of their masters.

6. AND BE IT FURTHER ENACTED, That if any slave who shall be employed in the lawful business or service of his master, owner, overseer, or other person having the charge of such slave, shall be beaten, bruised, maimed or disabled, by any person or persons not having sufficient cause for so doing (of which cause any justice of peace respectively may judge) every person and persons so offending, shall for every such offence forfeit and pay the sum of five shillings sterling, over and besides the damages herein after mentioned, to the use of the poor of the parish in which such offence shall be committed; and if such slave or slaves shall be maimed or disabled by such beating from performing his or her work, such person or persons so offending shall also forfeit to the owner of such slave, his or her lawful attorney, a sum not exceeding two shillings for every day of his lost time, and also the charge of the cure of such slave, and satisfaction shall also be made to the owner for the damage done to such slave; and the damage to be ascertained by two freeholders of the neighborhood, one to be named by the owner, or his or her attorney, and the other by the offender; and in case the said offender will not name one freeholder on his part, then such freeholder to be named by any justice to whom the party aggrieved

grieved shall apply; and the said penalty and damages shall, upon lawful proof thereof made, be recoverable before any of his majesty's justices of the peace; and such justice before whom the same shall be recovered, shall have power to commit the offender or offenders to jail, if he, she or they, shall produce no goods on which the said penalty and damages may be levied, there to remain until such penalty and damages shall be paid, any law, statute, usage or custom to the contrary notwithstanding.

Meetings of slaves, how to be dispersed.

7. AND WHEREAS, the frequent meeting and assembling of slaves under the pretence of feasting may be attended with dangerous consequences; BE IT FURTHER ENACTED, That it shall and may be lawful for every justice assigned to keep the peace in this province within his respective parish, upon his own knowledge or information received, either to go in person, or by warrant or warrants directed to any constable or other person, to command their assistance any number of persons as they shall see convenient, to disperse any assembly or meeting of slaves, which may disturb the peace or endanger the safety of his majesty's subjects; any every slave which shall be found and taken at any such meeting as aforesaid, shall and may by order of such justice, immediately be corrected without trial by receiving on the bare back not more than twenty-five stripes, with a whip, switch or cowskin; and such justice, constable

stable or person aforesaid, are hereby authorized and empowered to search all suspected places for arms, ammunition or stolen goods, and to apprehend and secure all such slaves as they shall suspect to be guilty of any crimes or offences whatsoever, and to bring them to speedy trial according to the direction hereafter given by this act: And in case any constable or other person shall refuse to obey or execute any of the warrants or precepts of such justices or any of them within their several parishes, or shall refuse to assist the said justice or constable, or any of them when commanded and required, such person and persons shall forfeit and pay for every such offence a sum not exceeding five pounds sterling to be recovered by a warrant under the hand and seal of any other justice of the peace.

Trial of slaves committing offences.

8. AND BE IT FURTHER ENACTED, That upon any complaint being made to, or information received, by any justice of the peace, of any such offence being committed by any slave or slaves within the parish where such justice is empowered to act, such justice shall commit such slave or slaves to the workhouse, if any, or to the safe custody of any constable of the said parish, and shall without delay, by warrant under his hand and seal, give notice of such commitment to any two or more of the nearest justice or justices of the peace in the said parish, to associate with him, and by the same warrant

shall

shall summons a jury of not less than seven of the neighboring freeholders, to meet together with the said justices at a certain time and place to be by them appointed, not exceeding three days after the apprehending and committing of such slave or slaves as aforesaid, (unless it shall appear necessary for the said justices, either for want of sufficient and positive proof or any other sufficient reason to delay the same,) and the justices and jury so assembled shall cause the slave or slaves accused or charged as aforesaid, to be brought before them, and shall hear the accusation brought against such slave or slaves, and his or her defence, and proceed to the examination of witnesses and other evidence, and finally hear and determine the matter brought before them as aforesaid, in the most summary and expeditious manner; and in case the offender shall be convicted of any crime not capital, the said justices or any two of them, shall give judgment for the inflicting any corporal punishment, not extending to the taking away life or member, as they in their discretion shall think fit, and shall award and cause execution to be done accordingly; and in case such offender shall be convicted of any crime for which by law he or she ought to suffer death, the said justices or any two of them shall give judgment and award execution of their sentence, by directing such manner of death, and at such time, as the said justices with a majority of the jury shall think most convenient, and

which

which they shall judge most effectual to deter others from offending in like manner. PROVIDED NEVERTHELESS, That in case the owner, trustee or other person shall give sufficient security to the said justices for the forthcoming of such negro or negroes, and of all expences that may attend such delay, then the said execution of such sentence shall not be carried into effect, but be suspended until the said justices or any two of them, shall under their hands, lay a full state and report of the case, evidence, verdict and judgment thereupon, before the governor or commander in chief for the time being, and his pleasure be known thereon.

Oath to be taken by the jury on the trial of slaves.

9. AND BE IT FURTHER ENACTED, That as soon as the justices and jury shall be assembled as aforesaid, in pursuance of the direction of this act, the said jury shall take the following oath; "I *A. B.* do solemnly swear, in the presence of Almighty God, that I will truly and impartially try the prisoner or prisoners brought upon his, her or their trial, and a true verdict give according to evidence to the best of my knowledge. So help me God."

Evidence to be taken against slaves.

10. And for preventing the concealment of crimes and offences committed by slaves, and for the more effectual discovery and bringing slaves to condign punishment, BE IT FURTHER ENACTED, That the evidence of any free Indians, mulattoes mustizoes, or negroes or slaves, shall be allowed

lowed and admitted in all causes whatsoever, for or against another slave, accused of any crime or offence whatsoever; the weight of which evidence, being seriously considered and compared with all other circumstances attending the case, shall be left to the justices and jury.

11. AND WHEREAS, slaves may be harbored and encouraged to commit offences, and concealed and received by free negroes, and such free negroes may escape the punishment due to their crimes for want of sufficient and legal evidence against them: BE IT THEREFORE FURTHER ENACTED, That the evidence of any free Indian or slave shall in like manner be allowed and admitted in all cases against any free negroes, Indians (free Indians in amity with this government excepted) mulattoes or mustizoes, and all crimes and offences committed by free negroes, Indians (except as before excepted) mulattoes or mustizoes, shall be proceeded and tried by the justices and jury appointed by this act for the trial of slaves, in like manner as is hereby directed for the proceedings and trial of crimes and offences committed by slaves, any law, statute, usage or custom to the contrary notwithstanding.

Evidence admissible against free negroes, &c.

12. AND BE IT FURTHER ENACTED, That the several crimes and offences herein after particularly enumerated, are hereby declared to be felony

Certain crimes declared felony by this act.

felony, that is to say, if any slave, free negro, Indian, mulatto or mustizoe, (Indians in amity with this government excepted) shall be guilty of homicide of any sort upon any white person, except by misadventure, or in defence of his or her owner or other person under whose care and government such slave shall be, or shall raise or attempt to raise any insurrection, or commit or attempt to commit a rape on any white person whomsoever, every such offender and offenders, his and their aiders and abettors, shall, upon conviction thereof suffer death; or if any slave, free negro, Indian, mulatto or mustizoe, (except as before excepted) shall wilfully and maliciously kill any slave or other person as aforesaid, or shall break open, burn or destroy any dwelling house or other building whatsoever, or set fire to any rice, corn or other grain, tar-kiln, barrel or barrels of pitch, tar, turpentine, rosin, or any other goods or commodities whatsoever, or shall steal any goods or chattels whatsoever, or delude or entice any slave or slaves to run away, whereby the owner or owners of such slave or slaves shall or would have lost or been deprived of such slave or slaves, every such slave and slaves, and his and their accomplices, aiders and abettors, shall upon conviction as aforesaid, suffer death, or such other punishment as the said justices and jury shall in their discretion think fit: PROVIDED, That such slave shall have actually prepared provisions, arms, ammunition, horse or

Proviso.

horses

horses, or any flat, canoe, or other vessel, or done any other overt act, whereby such their intentions shall be manifested.

Poisoning or being accessary thereto, declared felony.

13. AND WHEREAS, The detestable crime of poisoning hath frequently been committed by slaves: BE IT THEREFORE ENACTED, That not only such negroes, mulattoes or mustizoes, as shall administer poison to any person or persons, whether free or bound, but also all and every negro, mulatto or mustizoe, who shall furnish, procure or convey any poison, to be administered to any slave or slaves, or to any person or persons as aforesaid, and also such negroes, mulattoes and mustizoes, as shall be privy (and not reveal the same) to the furnishing, procuring or conveying any poison to be administered to any person or persons as aforesaid, shall be deemed and adjudged, and all and every of them are hereby declared to be felons, and suffer death in such manner as the persons appointed by this act for trial of slaves shall adjudge and determine.

Slaves giving information of any design to poison, how to be rewarded.

14. And for the encouragement of slaves to make discovery of the designs of others to poison any person, BE IT ENACTED, That every negro, mulatto or mustizoe, who shall hereafter give information of the intention of any other slave to poison any person, or of any slave that hath furnished, procured or conveyed any poison to be administered to any person, shall,

upon

upon conviction of the offender or offenders, be entitled to and receive from the public of this province, a reward of twenty shillings to be paid him or her by the treasurer yearly and every year, during the abode of such negro, mulattoe or mustizoe in this province, on the day that such discovery was made, and shall also be exempted from the labor of his or her master on that day; and every justice, before such information and conviction is made, is hereby required to give a certificate of every such information, which certificate shall entitle the informant to the reward aforesaid: PROVIDED ALWAYS NEVERTHELESS, That no slave shall be convicted upon the bare information of any other slave, unless some circumstance or overt act appear, by which such information shall be corroborated to the satisfaction of the said justices and jury.

Proviso.

15. AND PROVIDED ALSO, AND BE IT FURTHER ENACTED. That in case any slaves shall be convicted of having given false information, whereby any other slave may have suffered wrongfully, every such false informer shall be liable to and suffer the same punishment as was inflicted upon the party accused, any law, usage or custom to the contrary not withstanding.

Slaves giving false information how to be punished.

16. AND BE IT FURTHER ENACTED, That in case any slave shall teach and instruct another slave in the knowledge of any poisonous root, plant,

herb

herb, or other sort of a poison whatever, he or she offending shall, upon conviction thereof, suffer death as a felon; and the slave or slaves so taught or instructed, shall suffer such punishment not extending to life or limb, as shall be adjudged and determined by the justices and jury, before whom such slave or slaves shall be tried.

Slaves teaching others to poison shall suffer death, and those taught corporeal punishment.

17. AND BE IT FURTHER ENACTED, That no negroes or other slaves shall hereafter be suffered or permitted to administer any medicine or pretended medicine to any other slave, but at the instance or direction of some white person owning or having the care and management of the slave, to whom the same is to be administered; and in case any negro or other slave shall offend herein, he or she shall, upon complaint and proof thereof made, to any justice of the peace, suffer corporeal punishment not exceeding fifty stripes.

Slaves giving medicine to other slaves, unless by direction of a white person shall suffer corporeal punishment.

18. And in order to discourage any owners of slaves from concealing any crime committed by such slaves to the prejudice of the public welfare, BE IT FURTHER ENACTED, That in case any slave shall be put to death, in pursuance of any sentence awarded by direction of this act, the justices awarding the same, and the whole jury who found him or her guilty, shall appraise the value of such slave to be put to death, on oath, which appraisement and valuation shall be cer-

Slaves executed by law to be appraised.

tified

tified to by the treasurer of this province, who is hereby authorized to pay the same, to the owner of such slave or his order, PROVIDED such appraisement and valuation does not exceed the sum of forty pounds sterling for any one slave, AND PROVIDED ALSO, That such slave or slaves at the time of the committing the crime for which he, she or they, shall be so sentenced, shall clearly appear to have been the property of an inhabitant of this province, or of some person having a settled plantation therein whereon such slave or slaves at the time the said crime was committed, was or were employed.

Proviso. Not to exceed forty pounds.

Pounds.

19. AND BE IT FURTHER ENACTED, That the said justices or any of them are hereby authorized, empowered, and required, to summon and compel all persons whatsoever to appear and give evidence upon the trial of any slave, and if any person shall neglect or refuse to appear, or appearing shall refuse to give evidence, or if any master or other person who has the care and government of any slave, shall prevent and hinder any slave under his charge and government from appearing and giving evidence in any matter depending before the justices and jury as aforesaid, the said justices may, and they are hereby fully empowered and required, upon due proof made of such summon being served, to bind every such person offending as aforesaid, by recognizance with one or more sufficient

Proviso.

All persons compellable to give evidence on the trial of slaves.

sufficient sureties, to appear at the next general court to answer such their offence and contempt, and for default of finding sureties to commit such offenders to prison, for any term not exceeding the space of two months.

Masters concealing their slave accused of a capital crime to furnish two hundred pounds, if not capital twenty pounds.

20. AND BE IT FURTHER ENACTED, That in case the master or other person having charge or government of any slave who should be accused of any capital crime, shall conceal or convey away any such slave, so that he cannot be brought to trial and condign punishment, every master or other person so offending, shall forfeit a sum not exceeding two hundred pounds sterling, if such slave be accused of a capital crime as aforesaid; but if such slave be accused of a crime not capital, then such master or other person shall only forfeit a sum not exceeding twenty pounds sterling, to be paid to the treasurer for the use of the public.

Duties of constables in executing sentences passed on slaves.

21. AND BE IT FURTHER ENACTED, That all and every the constable and constables in the several parishes within this province where any slave shall be sentenced to suffer death, or other punishment, shall cause execution to be done of all the orders, warrants, precepts and judgments of the justices hereby appointed, to try such slaves for the charge and trouble of which the said constable or constables respectively shall be paid by the public, unless in such cases as shall appear to the said justice or justices to be malicious or groundless persecutions, in which cases

cases the said charges shall be paid by the prosecutors, for whipping or other corporeal punishments not extending to life, the sum of five shillings, and such other charges for keeping and maintaining such slaves, as are by the act for erecting the workhouse appointed; for the levying of which charges against the prosecutor, the justices are hereby impowered to issue their warrant, and that no delay may happen in causing execution to be done upon such offending slave or slaves, the constable who shall be directed to cause execution to be done, shall be and he is hereby empowered to press one or more slave or slaves in or near the place where such whipping or other corporeal punishment shall be inflicted, to whip or inflict such other corporeal punishment upon the offender or offenders; and such slave or slaves so pressed shall be obedient to, and observe all the orders and directions of the constable in and about the premises, upon pain of being punished by the said constable by whipping, on the bare back not exceeding twenty lashes, which punishment the said constable is hereby authorized and empowered to inflict; and the constable shall, if he presses a negro, pay the owner of the said negro two shillings out of his fee, for doing the said execution; and in cases capital shall pay to the negro doing the said execution, the sum of two shillings over and above the said fee to his owner.

And

22. AND BE IT FURTHER ENACTED, That it shall not be lawful for any slave to carry and make use of fire arms, or any offensive weapon whatsoever, unless there be some white person of the age of sixteen years or upwards in the company of such slave when he is hunting or shooting, or unless such slave be found in the day time, actually keeping off birds or killing beasts of prey within the plantation to which such slave belongs, lodging the same gun at night within the dwelling house of his master, mistress or white overseer; and in case any person shall find any slave using or carrying fire arms or other offensive weapon contrary to the true intention of this act, such person may lawfully seize and take away such offensive weapon or fire arm; but before the property thereof shall be vested in the person who shall seize the same, such person shall, within forty-eight hours next after such seizure, go before the next justice of peace, and shall make oath of the manner of the taking thereof; and if any such justice of the peace, after such oath, shall be made, or if upon any other examination he shall be satisfied that the said fire arms or other offensive weapons shall have been seized according to the directions, and agreeable to the true intent and meaning of this act, the said justice shall by certificate, under his hand and seal, declare them forfeited, and that the property is lawfully vested in the person who seized the same: PROVIDED ALWAYS, That no such certificate

Slaves not to carry fire arms except as herein pointed out.

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cate shall be granted by any justice of the peace until the owner or owners of such firearms or other offensive weapon so seized as aforesaid, or the overseer or overseers who shall or may have the charge of such slave or slaves from whom such fire arms or other offensive weapon so taken or seized, shall be duly summoned, to shew cause why the same should not be condemned as forfeited, or until forty-eight hours after the service of such summons, and oath made of the service thereof, before the said justice.

Slaves striking any white person, how to be punished.

23. AND BE IT FURTHER ENACTED, That if any slave shall presume to strike any white person, such slave upon trial and conviction, before the justice or justices according to the direction of this act, shall for the first offence suffer such punishment as the said justice or justices shall in his or their discretion think fit, not extending to life or limb; and for the second offence suffer death: But in case any such slave shall grievously wound, maim or bruise any white person, though it shall be only the first offence, such slave shall suffer death. PROVIDED ALWAYS, That such striking, wounding, maiming or bruising be not done by the command, and in defense of the person or property of the owner or other person having the care and government of such slave, in which case the slave shall be wholly excused, and the owner or other person having the care and government of such slave, shall be

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answerable

answerable as if the act had been committed by himself.

Runaway slaves to be delivered to the persons herein mentioned.

24. AND BE IT FURTHER ENACTED, That it shall and may be lawful for every person to take, apprehend and secure any runaway or fugitive slave, and they are hereby directed and required, within forty-eight hours after such taking, apprehending and securing (otherwise such person to be construed and taken as a harborer of such runaway or fugitive slave) to send such slave, if convenient, to the master or other person having the care and government of such slave, if the person taking up or securing such slave, knows, or can without difficulty be informed to whom such slave belongs, or such slave shall be delivered into the custody of the master of the workhouse of the parish, if any, but if none, to any constable of the said parish; and the master or other person who has the care or government of such slave, shall pay for taking up such slave, whether by a free person or slave, the sum of five shillings sterling, and the master of the workhouse or constable, upon receipt of every fugitive or runaway slave, is hereby directed and required to keep such slave in safe custody until such slave shall be lawfully discharged, and shall, as soon as conveniently it may be, advertise such slave in the public gazette, and also in the most public place in the parish where such slave shall be taken up, with the best description he shall be able to give, first

carefully

carefully viewing and examining such slave for any brand or mark, which he shall also advertise, to the intent the owner or other person who shall have the care and charge of such slave may come to the knowledge that such slave is in their custody; and if such slave shall escape through negligence, and cannot be taken up in three months, the said person shall answer to the owner for the value of such slave, or the damages which the owner shall sustain by reason of such escape, as the case shall happen.

Slaves to be maintained at the charge of the owners.

25. AND BE IT FURTHER ENACTED, That the said master of the work-house or constable shall, at the charge of the owner of such slave, provide sufficient food, drink, clothing and covering for every slave delivered into his custody, or on failure thereof, shall forfeit all his fees, and for each day after he shall neglect to advertise as before directed, the sum of three shillings.

Persons taking up slaves entitled to two pence per mile. Account to be given on delivery of slaves to the master of the workhouse or constable.

26. AND BE IT FURTHER ENACTED, That if any person shall take up any runaway slave, and shall deliver such slave either to the master or other person having the care and charge of such slave, or to the constable of the parish, or the master of the workhouse, shall be entitled to receive from the owner, or constable of the parish, or master of the workhouse, twopence per mile for every mile such slave shall have been brought or sent, to be computed from the place where such slave was apprehended; and if such

slave

slave shall be delivered into the custody of the constable of the parish aforesaid, or the master of the workhouse, the person delivering such slave shall give an account of his name, place of abode, and the time and place when and where such slave was apprehended; which account the said constable or master of the workhouse shall enter down in a book to be kept for that purpose, and shall give a receipt for any such slave which shall be delivered as aforesaid into his custody; and the said constable or master of the workhouse is hereby fully authorized and empowered to demand and receive from the owner or other person having the charge or care of any such slave, for negroes committed from the month of October to March, inclusive, for finding necessary clothing and covering, to be the property of the master's, any sum not exceeding eighteen shillings, and the several sums following, and no other sum, fee or reward, on any pretence whatsoever, that is to say: that for apprehending each slave, paid to the person who delivered such slave into custody, five shillings; for mileage, paid to the same person, two-pence per mile; for a sufficient quantity of provision for each day for each slave, sixpence; for advertising every slave as directed by this act, three shillings and sixpence; for receiving each slave, sixpence; for poundage on money advanced, one shilling in the pound; and the said constable or master of the workhouse shall and may lawfully detain any slave in custody; until the fees

Fees of the master of the workhouse and constable.

and

and expences aforesaid be fully paid and satisfied; and in case the owner of such slave, or his overseer, agent, manager, attorney or trustee, shall neglect or refuse to pay or satisfy the said fees and expenses, for the space of thirty days after the same shall be demanded by notice in writing, served on the owner of such slave, or (if the owner is absent from this province) upon his overseer, agent, manager, attorney or trustee, the said constable or master of the workhouse shall and may expose any such slave to sale at public outcry, first giving ten days' notice of such sale, and after deducting the fees and expences aforesaid, and the charges of such sale, the overplus money arising from such sale to be lodged in the hands of any one justice of the parish where such sale shall be made, and upon demand to be by him returned to any person who has a right to demand and receive the same.

Penalty on constables or master of the workhouse for neglect of duty so defined.

27. AND BE IT FURTHER ENACTED, That if any constable, or the master of the workhouse shall refuse to take into his or their custody any fugitive slave or slaves and to do and perform all the several services and duties required by the foregoing clause, such constable or master of the workhouse shall forfeit a sum not exceeding twenty pounds sterling, one half to be paid to the owner of such slave, and the other half to the poor of the parish; such fine to be recovered on proof being made of such offence being committed. And

28. AND for as much as for want of knowing or finding the owners of any fugitive slave to be delivered to him as aforesaid, the said constable or master of the workhouse may not be obliged to keep such slave in his custody, and find and provide provisions for such slaves over and beyond reasonable time; BE IT THEREFORE ENACTED, That if the owner or owners of such fugitive slaves shall not, within the space of six days from the time of advertising, make his, her or their claim or claims, or it shall not otherwise be made known to the said constable or master of the workhouse within the time aforesaid, to whom such committed slave shall belong, the said constable shall commit the said slave to the custody of the master of the workhouse in Savannah, who shall give a receipt for the same, and pay the constable his fees and expenses, as directed by this act; and the said master of the workhouse shall, immediately and constantly, advertise in the gazette of this province for the space of eighteen months, and if not claimed in that time, it shall be lawful for the said master of the work-house to sell such slave at a public outcry, he first advertising such sale, together with the reasons thereof, and out of the money arising from such slave to deduct or retain to himself what shall be then due for money by him disbursed on receipt of such fugitive slave, and for his fees and provisions, together with the reasonable charges arising by such sale, and the overplus money, if any, shall be rendered and paid by the said master

Slaves not claimed in six days after advertising to be committed to the workhouse.

master of the workhouse to the treasurer of the province for the time being, in trust, nevertheless for the use of the owner or owners of such slave, PROVIDED the same be claimed by him, her or them, within one year and a day after such sale, or in default of such claim within the time aforesaid, to be applied in aid of the general tax for any sum or sums which shall or may have been paid for negroes publicly executed, PROVIDED, NEVERTHELESS, That on sufficient proof of the property being in any person or persons, at any time, the public shall be liable to, and repay the same.

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29. AND BE IT FURTHER ENACTED, That if any free person or any slave shall harbor, conceal, or entertain any slave that shall run away, or shall be charged or accused of any criminal matter, every free negro, mulatto, and mustizoe, and every slave that shall harbor, conceal or entertain any such slave, being duly convicted thereof according to the direction of this act, if a slave shall suffer such corporeal punishment, not extending to life or limb, as the justice or justices who shall try such slave shall in his or their discretion think fit; and if a free person, shall forfeit the sum of thirty shillings for the first day, and three shillings for every day such slave shall have been absent from his or her owner or employer, to be recovered and applied as in this act hereafter is directed.

Persons harboring runaway slaves, how to be punished.

And

Persons maimed, &c, in the execution of this act, to be rewarded by the public.

30. AND BE IT FURTHER ENACTED. That if any person shall be maimed, wounded or disabled in pursuing, apprehending or taking any slave that is fugitive, or charged with any criminal offence, or in doing any other act, matter or thing, in obedience to, or in pursuance of the direction of this act, he shall receive such reward from the public as by the General Assembly shall be thought fitting and proper; and if any such person shall be killed such reward shall be given and paid to his heirs, executors or administrators.

Penalty on persons for selling beer, &c, to slaves without license.

31. AND BE IT FURTHER ENACTED, That if any retailer of strong liquors, or any other person or persons, shall give or sell to any slave any beer or spirituous liquors whatsoever, without the license or consent of the owner or such other person who shall have the care or government of such slave, every person so offending shall forfeit a sum not exceeding five pounds sterling for the first offence, and for the second offence ten pounds sterling, and shall be bound in a recognizance in the sum of twenty pounds sterling, with one or more sufficient sureties before any one of the justices of the peace for the parish where such offence shall be committed, not to offend in like manner, and to be of good behavior for one year; and for want of such sufficient sureties to be committed to the nearest common jail for a term not exceeding three months.

And

Penalty on persons dealing with slaves &c.

32. AND WHEREAS, Many persons purchase provisions and other commodities from slaves, by which the owners of such slaves are and may be great sufferers, should such pernicious practices continue, BE IT THEREFORE ENACTED, That immediately from and after the passing of this act, any person or persons whatsoever who shall purchase from, or sell to, for money or barter with any slave or slaves for any sort of provision or other commodities whatsoever, unless such slave or slaves shall produce a ticket from his, her or their employer, owner or manager, allowing such slave or slaves to dispose of such money or purchase or sell such provision or commodity, shall upon conviction thereof, before any one or more justice or justices of the peace for the parish where such offence shall be committed, forfeit a sum not exceeding ten pounds, to be applied one half to the poor of the said parish, and the other half to the informer, and shall find sufficient security for his, her or their good behavior for twelve months; and in case of refusal to pay such penalty or find such security, then and in such case he, she or they, shall be by the said justice or justices committed to the nearest common jail, there to be and remain for and during the space of three months. PROVIDED ALWAYS, That it shall and may be lawful for any slave who lives, or is actually employed, in or near any town in the province to buy and sell fruit, fish, and garden stuff, and to purchase anything for the use of their

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their owner, manager or employer, in open market, under such regulations as are or may by law be made and appointed concerning the market in such town or towns.

Evidence admissible against such offenders.

33. AND WHEREAS, it may in many cases be difficult to procure sufficient evidence or proof of such offences being committed, BE IT THEREFORE ENACTED, That where any slave or slaves shall declare, before any or more justice or justices of the peace, (of the probability of which declaration such justice or justices are hereby allowed to judge) that any person or persons whatever are or have been guilty of such offences, it shall be taken for granted, (such probability appearing) that such persons are guilty of the said offences, and every such person shall be and is hereby declared to be liable to the penalties above inflicted on persons so offending, unless such person shall make it appear upon oath, to the satisfaction of such justice or justices, that he or she is not guilty of such offence.

Penalty on owners of slaves permitting them to work out without tickets.

34. AND BE IT FURTHER ENACTED, That no owner, master or mistress of any slave, after the passing of this act, shall permit or suffer any of his, her or their slaves to go and work out of their respective houses or families without a ticket in writing under the pain of forfeiting the sum of thirty shillings sterling for every such offence, to be paid the one half to the justices of the parish, for the use of the poor of the parish

parish in which the offence is committed, and the other half to him or them that will inform or sue for the same, and every person employing any slave, without a ticket from the owner of such slave, shall forfeit to the informer fifteen shillings sterling for each day he so employs such slave over and above the wages agreed to be paid to such slave for his work.

Proviso. PROVIDED NEVERTHELESS, That the said penalty of fifteen shillings each day shall not extend to any person whose property in such slave is disputable.

35. AND WHEREAS, several owners of slaves may permit them to keep canoes, and to breed and raise horses and neat cattle, and to traffic and barter in several parts of this province for the particular and peculiar benefit of such slaves, by which means they may have not only an opportunity for receiving and concealing stolen goods, but to plot and confederate together and form conspiracies dangerous to the peace and safety of the whole province. BE IT

Goods &c, or canoes, &c kept by slaves for their own use, liable to be seized. THEREFORE ENACTED, That it shall not be lawful for any slave so to buy, sell, trade, traffic, deal or barter for any goods or commodities, (except as before excepted) nor shall any slave be permitted to keep any boat, perriagua or canoe, or to raise, breed or keep, for the use and benefit of such slave, and horses, mares and neat cattle, under pain of forfeiting all goods and commodities which shall be so bought, sold, trafficked

trafficked, traded, dealt or bartered for by any slave, and of all the boats perriaguas, canoes, horses or cattle which any slave shall keep, raise or breed for the peculiar use, benefit and profit of such slave; and it shall and may be lawful for any person or persons whatsoever to seize, and take away from any slave, all such goods, commodities, boats, perriaguas, canoes, horses, mares or neat cattle, and to deliver the same to any justice of the peace nearest to the place where the seizure shall be made; and such justice shall take the oath of such person who shall make any such seizure, concerning the manner of seizing and taking the same, and if the said justice shall be satisfied that such seizure hath been made according to the directions of this act, he shall pronounce and declare the goods so seized as aforesaid, to be forfeited, and shall order the same to be sold at public outcry, and the monies arising from such sale shall be disposed of and applied as is hereinafter directed. PROVIDED ALWAYS, That if any goods shall be seized which comes to the possession of any slave by theft, finding, or otherwise, without the knowledge, privity, consent, or connivance of the person who have, a right to the property or lawful custody of such goods, the same shall be restored on such persons making oath before any Justice as aforesaid, who is hereby empowered to administer such oath to the effect or in the following words: "I *A. B.* do sincerely swear that I have a just and lawful

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To be restored to the owners if stolen.

Oath.

ful right or title to certain goods seized and taken by *C. D.* out of the possession of a slave named E. that I did not directly or indirectly permit or suffer the said slave or any other slave whatsoever to keep and employ the said goods for the use, benefit or profit of any slave whatsoever, or to sell, barter, or give away the same, but that the same goods were in the possession of the said slave by theft, finding or otherwise, or to be kept *bona fide* for the use of *E. F.* a free person, and not for the use or benefit of any slave whatsoever. So help me God." Which oath shall be taken as the case shall happen.

Proviso. PROVIDED ALSO, That it shall be lawful for any person being the owner or having the care and government of any slave who resides or is usually employed in any part of this province, without the limits of any town, to give license or permission to sell, exchange, or barter in Savannah or elsewhere within this province, the goods or commodities of the owner or other person having the care and government of such slave.

Proviso. PROVIDED, That in such license or permission the quantity and the quality of the goods and commodities with which such slave shall be instructed, be particularly and distinctly set down and specified, and signed by the owner or other person, having the care or government of such slave, or by some other person by his or their order and direction.

36. And as it is absolutely necessary to the safety

safety of this province, that all due care be taken to restrain the wandering and meeting of negroes and other slaves at all times, and more especially on Saturday nights, Sundays and other holy days, and their using and carrying mischievous and dangerous weapons, or using and keeping of drums, horns or other loud instruments, which may call together or give sign or notice to one another of their wicked designs and intentions, and that all masters, owners, and others may be enjoined diligently and carefully to prevent the same, BE IT ENACTED, That it shall be lawful for any person whomsoever, to apprehend and take up any negro or other slave that shall be found out of the plantation of his or their master or owner at any time, especially on Saturday nights, Sundays or other holy days, not being on lawful business and with a ticket from their master, or not having a white person with them, and the said slave or slaves met or found out of the plantation of his or their master or mistress, though with a ticket, if he or they be armed with such offensive weapons as aforesaid, him or them to disarm, take up, and whip; and whatsoever master or owner or overseer shall permit or suffer his or their slave or slaves at any time hereafter to beat drums, blow horns, or other loud instruments, or whosoever shall suffer and countenance any public meeting, or feasting of strange slaves in their plantations, shall forfeit thirty shillings sterling for every such offence, upon conviction

Slaves found out of the plantation of their owners without a ticket, or in and armed, to be taken up and whipped.

or

Proviso.

or proof as aforesaid. PROVIDED, an information or other suit be commenced within one month after forfeiture thereof.

Slaves not to rent any house, &c.

37. AND BE IT FURTHER ENACTED, That no slave or slaves shall be permitted to rent or hire any house, room, store or plantation on his or her own account, or to be used or occupied by any slave or slaves; and any person or persons who shall let or hire any house room or plantation to any slave or slaves, or to any free person to be occupied by any slave or slaves, every person so offending shall forfeit and pay to the informer a sum not exceeding twenty pounds.

Men slaves exceeding seven, not to travel on the highway without a white person.

38. AND WHEREAS it may be attended with ill consequences to permit a great number of slaves to travel on the high roads without some white person with them; BE IT THEREFORE ENACTED, That no men slaves exceeding seven in number, shall hereafter be permitted to travel together in any high road in this province, without some white person with them; and it shall and may be lawful for any person or persons who shall see any men slaves exceeding seven in number, without some white person with them as aforesaid, travelling or assembled together in any high road, to apprehend all and every such slaves, and may whip them, not exceeding twenty lashes, on the bare back.

39. AND WHEREAS the having slaves taught to read or suffering them to be employed in writing

ting, may be attended with great inconveniences: BE IT THEREFORE ENACTED, That all and every person and persons whatsoever, who shall hereafter teach, or cause any slave or slaves to be taught to write or read writing, or shall use or employ any slave as a scribe in any manner of writing whatsoever, every such person and persons shall, for every such offence, forfeit the sum of twenty pounds sterling.

Penalty on persons teaching slaves to write.

40. AND WHEREAS the inhabitants of this province are liable to have their slaves inveigled, stolen or carried away, and may receive great prejudice by such unwarrantable and wicked practices: BE IT THEREFORE ENACTED, That all and every person or persons who shall inveigle, steal or carry away any negro or other slave or slaves, or shall hire, aid or counsel any person or persons to inveigle, steal or carry away as aforesaid, any such slave or slaves, or that shall aid any such slave in running away, or departing from his master's or employer's service, or shall give a ticket or pass, whereby such slave shall depart fom the service of his or her said owner, manager, or employer, shall be, and he and they is and are hereby declared to be guilty of felony, and being thereof convicted or attainted, shall stand mute, or will not directly answer to the indictment, or will peremptorily challenge above the number of twenty of the jury, shall suffer death as felons, and be excluded and debarred of the benefit of clergy.

Felony to inveigle slaves.

And

Penalty on making slaves labor on the sabbath-day.

41. AND BE IT FURTHER ENACTED, That if any person shall on the Lord's day, commonly called Sunday, employ any slave in any work or labor, (work of absolute necessity, and the necessary occasions of the family only excepted) every person so offending shall forfeit and pay the sum of ten shillings for every slave he, she or they shall so cause to work or labor.

42. AND WHEREAS cruelty is not only highly unbecoming those who profess themselves Christians but is odious in the eyes of all men who have any sense of virtue or humanity therefore to restrain and prevent barbarity being exercised toward slaves, BE IT ENACTED, That if any person or persons shall wilfully murder his own slave or the slaves of any other person, every such person shall upon conviction thereof by the oath of two witnesses be adjudged guilty of felony for the first offence and have (benefit of) clergy making satisfaction to the owner of such slaves and shall (be rendered) and is hereby declared altogether incapable of holding any place of trust or of exercising, enjoying or receiving the profits of any office place or employment civil or military within this province but if any person shall offend in like manner a second time, such second offence shall be deemed murder and the offender suffer death for the said crime, and shall forfeit as much of his lands, tenements, goods and chattels as may be sufficient to satisfy the owner of such slave so killed

as

as aforesaid, and in case any person shall not be able to make the satisfaction hereby required, on committing the first offence every such person shall be sent to any frontier garrison of this Province or committed to the goal at Savannah and there to remain at the publick expence for the space of seven years and to serve or be kept to hard labour, and the pay usually allowed by the publick to soldiers of such garrisons or the profits of the labour of the offenders shall be paid to the owner of the slave murthered and if any person shall on a sudden heat of passion and without any ill intent kill the slave of any other person he shall forfeit the value of the said slave so killed to be appraised by any three or more freeholders, and in case any person or persons shall willfully cut out the tongue, put out the eye, castrate or cruelly scald burn or deprive any slave of any limb or member or shall inflict any other cruel punishments other than by whipping or beating with a horse whip, cow skin switch or small stick or by puting irons on or confining or imprisoning such slave every such person shall for every such offence forfeit a sum not exceeding fifty pounds sterling.

43. AND WHEREAS, plantations settled with slaves without any white man thereon, may be harbors for runaway and fugitive slaves: BE IT THEREFORE ENACTED, That no person or persons hereafter shall keep any slaves on any plantation or settlement, without having a white

man

man on such plantation or settlement, under pain of forfeiting the sum of five pounds sterling for every month which any such person shall so keep any slaves on any plantation or settlement, without a white man as aforesaid: and every owner of any plantation or settlement, for every twenty-five slaves of the age of sixteen and upwards, which such owner shall have thereon, shall be, and is hereby obliged to retain and keep in his or her service on such plantation or settlement, one white man, capable of bearing arms, under the pain of forfeiting five pounds per month for every white man wanting thereon.

Persons sued for executing this act may plead the general issue.

44. AND BE IT FURTHER ENACTED, That if any person shall at any time be sued for putting into execution any of the powers contained in this act, such person shall and may plead the general issue, and give the special matter in this act in evidence; and if the plaintiff be a non-suit, or a verdict pass for the defendant, or if the plaintiff discontinue his action, or enter a noli prosequi, or if upon demurrer judgment be given for the defendant, every such defendant shall have his full costs.

This act is to be construed most beneficial for carrying the same into effect.

45. AND BE IT FURTHER ENACTED, That this act, and all the clauses therein contained, shall be construed most largely and beneficial for the promoting and carrying into execution this act; and for the encouragement and justification of

all

all persons to be employed in the execution thereof; and that no record, warrant, precept or commitment, to be made by virtue of this act, or the proceedings thereupon, shall be reversed, avoided, or any wise impeached by reason of any default in form.

Fines, how to be recovered & applied.

46. AND BE IT ENACTED, That all fines, penalties and forfeitures imposed or inflicted by this act, which are not hereby particularly disposed of, or the manner of the recovery directed, shall, if not exceeding the value of eight pounds sterling, to be recovered as is directed in and by an act for the more easy and speedy recovery of small debts and damages, in the parish where such offence shall be committed, and in case such fine, penalty or forfeiture, shall exceed the sum of eight pounds sterling, the same shall be recovered by action of debt, bill, plaint or information in the general court of this province, and all the said fines, penalties and forfeitures, which shall be recovered by this act, and are not before particularly disposed of, shall be one half to his majesty, his heirs and successors, and to be paid to the treasurer, to be applied in aid of the general tax, towards paying for such slaves as are executed by virtue of this act, and the other half to the informer or informers.

To whom the fines, &c belonging to the public, shall be paid.

47. AND BE IT FURTHER ENACTED, That his majesty's part of the fines, penalties and forfeitures, which shall be recovered by virtue of this

act,

act, shall be paid into the hands of the justices, or in the court where the same shall be recovered, who shall make a memorial or record of the same, to the treasurer of this province, from the said court of justices, who shall receive his majesty's part of such fines and forfeitures: which memorial shall be a charge on the judges or justices respectively to whom the same shall be paid, and the treasurer of this province for the time being, shall, and may, and he is hereby authorized and empowered to levy and recover the same by warrant of distress and sale of the goods and chattels of the said judges or justices respectively, who shall be charged with the same in case they or any of them shall neglect or refuse to make such memorial or record as aforesaid, or send such transcript thereof as is before directed, or shall neglect, or refuse to pay the same over to the treasurer within thirty days after the receipt of the same.

This act, a public act.

48. AND BE IT FURTHER ENACTED, That this act shall be deemed a public act and shall be taken notice of without pleading the same, before all judges, justices, magistrates and courts within this province.

Continuation.

49. AND BE IT FURTHER ENACTED, That this act shall continue and be in force for and during the term of five years, and from thence to the end of the then next session of the General Assembly, and no longer.

And

Agent in Great Britain.

50. AND BE IT FURTHER ENACTED, That neither this act, nor any part and clause thereof, shall be of any force or effect, but the same is wholly suspended, until his most sacred majesty's approbation and allowance thereof shall be signified to the governor and commander in chief of this province for the time being, anything therein before contained to the contrary thereof in any wise notwithstanding.

This act not to be in force till approved of by his majesty.

By order of the Commons House of Assembly.

N. W. JONES, *Speaker.*

By order of the Upper House,

JAMES HABERSHAM, *President.*

Council Chamber, May 10, 1770.

Assented to.

JAMES WRIGHT.

(State Archives.)

AN ORDINANCE

For Reappointing Benjamin Franklin Esquire Agent to Sollicit the affairs of this province in Great Britain.

WHEREAS the Ordinance for Reappointing Benjamin

Agent in Great Britain.

Benjamin Franklin Esquire Agent for this Province in Great Britain is Expired We therefore pray your most Sacred Majesty that it may be Ordained AND BE IT ORDAINED by his Excellency Sir James Wright Baronet Captain General and Governor in Chief in and over his Majesty's Province of Georgia by and with the Advice and Consent of the Honourable Council and Commons House of Assembly of the said Province, in General Assembly met and by the Authority of the same, that, the said Benjamin Franklin be and is hereby declared and Reappointed Agent to Represent, Solicit and Transact the affairs of this Province in Great Britain.

AND BE IT FURTHER ORDAINED that the said Benjamin Franklin shall be and he is hereby fully Authorized and Impowered to follow and pursue all such Instructions as he shall from time to time Receive from the General Assembly of this Province or from the Committee herein after Appointed to Correspond with him.

AND BE IT FURTHER ORDAINED that the Honourable Noble Jones, Anthony Stokes, James Edward Powell, John Graham, James Read, and Henry Yonge Esquires, The Honorable William Young Esquire, Noble Wimberly Jones, Joseph Clay, Esquires, Sir Patrick Houston, Baronet, Thomas Netherclift, John Simpson, William Le Conte, Thomas Shruder, David Zubly, Thomas Young, and Thomas Carter Esquires, until others shall be appointed or any nine

Agent in Great Britain.

nine of them (Two of which shall be of the Council) shall be and they are hereby Nominated and appointed a Committee to Correspond with the said Benjamin Franklin and give him such Orders and Instructions from time to time as they shall Judge to be for the Service to this province, and the said Agent is hereby directed and required in all his provincial Correspondence to address his Letters to the Person first named in this Ordinance and the other members of the said Committee, who shall as soon as may be, Order the Clerk or other person appointed to Summon the members of the said Committee to meet and take under consideration the matters contained in such Letters, and in case of the absence from Savannah of the person first in Nomination then any other Member of the Committee who shall be present, shall cause the said Committee to be summoned and proceed to Business as before directed, but no letter to be opened, nor the Seal broken upon any pretence whatsoever before such Members of the Committee as aforesaid are met Provided, nevertheless, that if after being summoned as aforesaid any of the persons so Summoned shall Refuse or Neglect to attend, then any Nine of the Committee before named and empowered to proceed to Business as aforesaid

AND BE IT FURTHER ORDAINED that there shall be Allowed and paid unto the said Benjamin Franklin for his agency the sum of

One

One Hundred and Fifty Pounds Sterling Money of Great Britain over and above his reasonable charges and disbursements on his application to the Several Officers and Boards in Negociating the affairs of this Province

AND BE IT FURTHER ORDAINED that the said Benjamin Franklin shall be and continue Agent for this Province for one Year to commence from the first of November next in the Year of our Lord one thousand Seven Hundred and Seventy*

By order of the Commons House of Assembly

WILL^{M}. YOUNG Speaker

By order of the Upper House of Assembly

JAMES HABERSHAM President

Council Chamber

29th September 1773

Assented to

[JA: WRIGHT.]

*1773. Error in original act.

(State Archives.)

AN ACT

To empower Commissioners or Surveyors to lay out make and repair the Roads already laid Out or that may hereafter be necessary, and also to Clear the Rivers and Creeks within their respective Divisions. Title

WHEREAS Several Laws have heretofore been passed for the laying out Publick Roads which have accordingly been laid out and Cleared, which Laws are near Expiring And Whereas it is necessary for the more easy Communication throughout the Province and the Conveniency of the inhabitants that the Roads already laid out should be perfected and kept in proper and Constant repair and that Others may be laid Out, We therefore pray his most sacred majesty that it may be Enacted, AND BE IT ENACTED by His Excellency Sir James Wright Baronet Captain General and Governor in Chief of his Majestys Province of Georgia, by and with the advice and Consent of the Honorable Council and Commons House of Assembly of the said Province in General Assembly met, and by the Authority of the same That the Commissioners or Surveyors of the several Divisions hereafter mentioned named and Described shall be and they are hereby empowered to continue to work upon clear, amend, repair erect and Improve the several Roads, Bridges, rivers Creeks Causeways. Preamble

Enacted

That the Commissioners named are empowered to work on the Roads &c already laid out.

ways, Water courses, and water passages in this Province as are already laid out, opened, erected and Cleared, and to lay out open, erect,

And to clear any others to be laid Out.

and clear any Others that may hereafter be thought necessary, and to establish such ferries as they shall think proper, for the more direct communication and better Convenience of the Inhabitants thereof according to the several regulations and Directions of this Act

That the male white Inhabitants &c (except of Savannah &c Sunbury, from 16 to 60 years do work upon the Roads &c

AND BE IT ENACTED That all the male white Inhabitants (excepting those of the Towns of Savannah and Sunbury) Free Negroes and Mulattoes and all negroes and other Male Slaves from the age of Sixteen to Sixty years in the several Parishes within this Province shall be, and they are hereby declared to be Obleged to work upon the several Roads, Creeks and Rivers within the several Divisions to which such male white Inhabitants free Negroes and Mulattoes, and negroes and Other Male Slaves shall by their respective places of residence and by this Act be Allotted, or such Male White Inhabitants free Negroes Mulattoes and the Owners Managers or Employers of Such Negroes and

or be liable to the penalties in this Act

Other Male Slaves be liable to the several Fines and penalties in this Act hereafter mentioned

Proviso

Provided nevertheless that nothing in this Act contained shall extend or be Construed to extend to Subject the Commander in Chief the

Sundry Exempted from working

Members of His Majestys Council or their Officers the Members of the Commons house of Assembly

sembly or their Officers the Ministers of the Gospel the Pilots and ferrymen to personal working or Attendance upon the Roads Creeks or Rivers within their several divisions where the persons aforesaid shall or may reside and also such persons as have actually served as Commissioners or Surveyors of the Roads for the term of Seven years and all Justices of the Peace qualified and acting as such shall be exempted from personal Labour, but they are nevertheless required to give their Attendance at the Roads properly armed and Accoutred Provided Also that this clause of Exemption shall not extend to exempt any person or persons therein named from doing his or their duty as Commissioners or Surveyors of any Division within this province if he or they should be appointed to and accept of the said Office.

The Town of Savannah division

AND BE IT ENACTED that the Town and Common of Savannah including the Hamlets of Yamacraw Ewensburgh and the Trustees Gardens shall be and continue to be Called the Town division, and that the several male Slaves free Negroes and Mulattoes within the said Town and the limits of the Common including the Hamlets and settlements aforesaid (except the Plantations of the Reverend John Joachim Zubly and Moses Nunes) shall be and they are hereby declared to be liable to work within the said Division and that Thomas Netherclift and Joseph Clay Esquires Philip Box, Joseph Habersham

persons liable to work therein.

Commissioners named

ersham, Edward Telfair Robert Ried and James Whitefield shall be and they are hereby declared to be Commissioners or Surveyors of the same.

The first north west division

persons liable to work therein

AND BE IT ENACTED that the Road from the line of *Common of the* Town of Savannah as far as the North west line of the parish of Christ Church and all Waters Creeks and rivers within the same shall be and Continue to be called the first North west division And that the several Male white inhabitants, free Negroes, and Mulattoes and all the male slaves within the limits here in after named, That is to say from the said line of the Common all the Inhabitants to the North West on the River Savannah and Settlements on the Islands in the said River shall be and they are hereby declared to be liable to work within the said division except the Inhabitants on Hutchinsons Island below the Honorable John Graham Esquires Plantation, And That Jonathan Bryan, Isaac Young, John Simpson, and John Stirk Esquires Nathaniel Hall William Wylly and Richard Wylly shall be and they are hereby declared to be Commissioners or Surveyors of the Roads within the same.

Commissioners named

Second north west divisions

AND BE IT ENACTED That the Road from the North West line of the parish of Christ Church up the river Savannah to the North West Line of the parish of Saint Matthew and all Waters Creeks and Rivers within the same shall be and Continue to be called the second North West Division

Division And Whereas it is necessary from the extent of the said Second North west Division to divide the same into two parts BE IT THEREFORE ENACTED That from hence forth the same shall be divided into two parts and distinguished by the names of the upper and lower Parts of the said second North West Division and the said Division to be made thereof shall be by the Creek called and known by the name of Tuckasee Kings Creek upon the river Savannah, and from thence in the South West line to the boundary herein after by this act Established for a Road on the North side of Great Ogechee River, and that the part of the Second North West division lying between the said Tuckasee Kings Creek and the south west line as aforesaid to the north west line of the Parish of Christ Church down the River Savannah and all Waters, Creeks and Rivers within the same shall be and Continue to be Called the lower part of the said Second North West division, and that all that part of the said second North West Division lying between the said Tuckasee Kings Creek and the South west Line as aforesaid to the North West Line of the parish of Saint Mathew and all Waters Creeks and Rivers within the same shall be and continue to be Called the upper part of the said second North West Division and that the several Male White inhabitants Free Negroes and Mulattoes and all male slaves within the said upper and lower parts of the said Second North west division

divided into two parts

Upper and lower north west division

boundarys of the two division

Lower part

upper part

persons liable to work therein

limited

limited as aforesaid excepting such as are hereby declared to Work on the Newington Road shall be and they are hereby Declared to be liable to work within the said respective Parts of the said north West Division in which they shall reside and that the Honorable Clement Martin Esquire John Adam *Treutlen John †Stirk Esquires John Wertch Nicholas Horton John Hall and Urban Bunty‡ shall be and they are hereby declared to be Commissioners or Surveyors of the roads within the lower part of the said division and the said Commissioners or Surveyors are hereby empowered directed and required immediately after the passing of this Act to cause a publick Road to be laid out and established from the main Road to the ferry on Middlesex Island and the several Male White inhabitants Free Negroes and Mulattoes and all male slaves within the said Division are hereby declared to be liable to work upon the said Roads except that Road leading to Middlesex Ferry and that Philip Howel, Philip Dill, Joshua Pearce, Christopher Hudson and Thomas Flyming shall be and they are hereby declared to be Commissioners or Surveyors of the Roads within the upper part of the said Division.

Commissioners named for the Lower division

Commissioners named for the upper division

AND BE IT ENACTED that the road from the North west line of the parish of Saint Matthew

*Written Trentlen in original act.
†Written Flirk in original act.
‡Probably Buntz.

to

to the north west line of the parish of Saint George and all Waters, Creeks and Rivers within the same shall be and continue to be called the third North West division, and that the several Male white inhabitants, Free Negroes and Mulattoes and all Male Slaves within the limits hereafter named That is to say from the mouth of Briar Creek up Savannah river as far as the mouth of Macbeans Swamp and up Brier Creek as far as Milltown mill inclusive and from thence in a direct line to the fording place on the said Swamp, shall be and they are hereby declared to be liable to work on the lower Road leading through the said Parish towards Augusta, and that Peter Shand, Esquire, John Conyers, James Harbet, Stephen Smith Joseph Gresham, John Green and James Nesmith shall be and they are hereby declared to be Commissioners or Surveyors of the said Road, and the several Male white Inhabitants Free Negroes and Mulattoes and all male Slaves within the limits herein after mentioned, That is to say from the mouth of Beaver dam up the same to the south line of the said parish from thence to the Causeway over Macbeans Swamp Inclusive shall be and they are hereby made liable to work on the upper Old Road leading from the fording place on the Beaver Dam up to Macbeans Swamp and also that the road now leading from the Court house in the parish of St. George to the Quaker Settlement called Wrightsborough in the parish of Saint Paul shall be

Third north west division

persons liable to work therein

viz't on the Lower Road

Commissioners named

persons liable to work on the upper Road

and the road leading to the Quakers settlement

kept

kept in repair by the Joint labour and expence of the Inhabitants of this district and that John Thomas, John Mann, and Benjamin Lewis Esquires, Thomas Lewis Junior, George Walker, James Lambert, William Lord, Daniel Douglass, Thomas Fussell, Caleb Cox and Thomas Sims shall be and they are hereby declared to be Commissioners or Surveyors of the said Road.

Commissioners named

AND BE IT ENACTED that the road leading from Macbeans Swamp through the parish of Saint Paul including the Town of Augusta as far as little River and all Waters Creeks and Rivers within the same shall be and continue to be called the fourth North west Division and that the several male white Inhabitants Free negroes and Mulattoes and all male slaves within the said Parish shall be and they are hereby Declared to be liable to work within the said Division, and that a Road lately laid out by the Commissioners of the said Division leading from the Town of Augusta to the Town of Wrightsborough be hereby deemed and declared to be a Publick Road and that all the Inhabitants within four miles to the northward and the whole of the inhabitants to the Southward of the same be Obliged and they are hereby made liable to work on the said Road and that James Grierson, John Walton, Robert Mackay and Andrew McLean Esquires and Jehu Stubbs Jonathan Sell, Devereaux Garrett and Isaac

Fourth North west division persons liable to work therein and on a road leading to Wrightsborough

Commissioners named

Low

Low shall be and they are hereby Declared to be Commissioners or Surveyors of the Roads within the same.

Newington road

AND BE IT ENACTED that the Road leading from the North West road through Newington Village to the Cowpen of Jonathan Bryan Esquire on Great Ogechee river shall be made and be kept in repair by the Joint Labour of all the Inhabitants to the north and West of the new Plantation of the Honorable James Habersham Esquire Including the plantation of Noble Wimberly Jones Esquire and to the Eastward as far as the plantation of John Simpson Esquire Exclusive, as far as pipe makers Creek down to the Plantation of John Joachim Zubly Exclusive, and from Turkey Hill in a Streight line to Jonathan Bryan Esquires Cow pen on Great Ogechee River and that Noble Wimberly Jones Esquire John Hume, James Lucana Charles Pryce and Joseph Gibbons shall be and they are hereby declared to be Commissioners or Surveyors of the said Road.

persons liable to work therein,

Commissioners names

a New Road to be Continued from Newington road to Queensborough

AND BE IT ENACTED that a Road shall be continued from the Newington Road to Horse Creek and from thence to the Town of Queensborough and that Isaac Ford Esquire, Samuel Eastlake Josias Dixon Richard Burford and Henry Dixon for the Parish of Saint Matthew William Jones, James Pugh, Joseph Marshall, William Harding and Elijah Brazeal Esquires

Commissioners thereof for St Georges Parish

for

for the parish of Saint George James Flyming Esquire Joseph Saunders, James Finlay Samuel Macbride and Daniel Nacniel for the parish of St. Paul shall be and they are hereby appointed Commissioners or Surveyors for laying out and keeping the said Road in Repair and that the several male white Inhabitants free negroes and mulattoes and all the Male Slaves from Jonathan Bryan Esquire's Cowpen to the said Town of Queensborough living within Eight miles of the north side of Great Ogechee River shall be and they are hereby declared to be liable to work upon the said Road within their respective parishes any thing in this act contained to the Contrary Notwithstanding.

for St Pauls

Persons liable to work thereon

AND BE IT ENACTED that the Road from the line of the Common of Savannah to the ferry on Great Ogechee River and all Waters Creeks and Rivers within the same shall be and Continue to be Called the first south west division and that the several male white Inhabitants free Negroes and Mulattoes and all male slaves within the limits hereafter named. That is to say all the Inhabitants East of Savannah as far as the Plantations of Mrs Russell and Samuel Bowen Exclusive, the Inhabitants of Hutchinsons Island below the Plantation of the Honorable John Graham Esquire and all the Garden Lots to the eastward of Musgroves Creek and all the farm lots to the south and East of John Simpson Esquires Plantation as

first South west division

Persons liable to work thereon

far

far as the south west Corner of the Common of the Town of Savannah to the Plantation of Thomas Netherclift Esquire and from thence in a South line to the River little Ogechee shall be and they are hereby Declared to be liable to work within the said Division and that the Honorable James Read Esquire James Habersham Junior Henry Bourquin John McLean Stephen Miller Esquires George Delegal and John Fox shall be and they are hereby declared to be Commissioners or Surveyors of the Roads within the same.

Commissioners named.

AND BE IT ENACTED that the Road from the low water mark at the ferry on Great Ogechee to Dunhams Swamp and the Boundary line of the Parish of St. Philip and in the said Parish and all Waters Creeks and Rivers within the same shall be and continue to be Called the second south west Division and that the Several male White Inhabitants Free Negroes and Mulattoes and all male Slaves within the said Parish (The Inhabitants living between Great Ogechee and Coonache Rivers only excepted) shall be and they are hereby Declared to be liable to work within the said Division and that the Honorable James McKay Esquire James Maxwell, William Maxwell James Butler, John Harn David Huguinen and Thomas Goldsmith the Younger shall be and they are hereby declared to be Commissioners or Surveyors of the Roads within the same And the said Commissioners

Second South West Divisions

Persons liable to work therein

Commissioners names

who are to cause a road to be laid out from Ogechee Causeway to a Ferry on Midway.

missioners are hereby empowered and required to Cause a publick Road to be laid out from the high Road near Great Ogechee Causeway to the most Convenient Place for establishing a ferry on Midway River to the Town of Sunbury and the several male White inhabitants free negroes and mulattoes and all male Slaves as aforesaid shall be liable to work upon the said Road.

Persons liable to work upon and keep clear

AND BE IT ENACTED that all the male White Inhabitants Free negroes and mulattoes and all male Slaves on the South side of Great Ogechee River living between the said River and the River Cowanouchee from the mouth of the said Cowanochee upwards shall be Obliged to work upon and keep Clear The said River of Great

The River Ogechee

Ogechee in lieu of Working upon the Roads in the Parish of Saint Phillip, and that William Belcher Esquire, John Earle, Hugh Bryan,

Commissioners names

James Bryan, Israel Bird, and Sham Butler shall be and they are hereby appointed Commissioners for that purpose and the said Commissioners shall have all the powers and authorities and be under the same Restrictions and Limitations as any Commissioners of the High Roads are Invested with or Subject to by this Act.

AND BE IT ENACTED That the Road in Saint Johns Parish from Dunhams Swamp to the Boundary line of the said Parish called the

upper

upper Road and the Road from Burtleys Ferry on north Newport River to the Division line of the said Parish opposite to the most Convenient place for Crossing South Newport river and Called the lower Roads and the Road from the Town of Sunbury to the ferry on North Newport River and the Road from the meeting house in the said Parish to the Town of Sunbury, and a Road from the main South west Road on the South side of Newport Swamp to the Plantations of Josiah Bacon and from thence to the Plantation of Sylvanus Robinson and further as may appear Necessary and all Waters Rivers and Creeks within the same shall be and Continue to be Called the Third South West Division and all the Male White Inhabitants except as before excepted Free Negroes and Mulattoes and all male Slaves within the said Parish shall be and they are hereby declared to be liable to work within the said Division And that Benjamin Andrew, Francis Brown, Thomas Young Peter Sallens Sen^{r} Esquires, John Sandyford, John Bacon James Maxwell William Quarterman, Samuel Saltus, Thomas Maxwell, Josiah Bacon Sylvanus Robinson and Josiah Osgood shall be and They are hereby Declared to be Commissioners or Surveyors of the Roads within the same.

Third South west division

Persons liable to work therein

Commissioners names

AND BE IT ENACTED by the authority aforesaid that immediately from and after the passing of this Act the several Male white Inhabitants

Persons liable to

Free

Clear the streets and Common of Sunbury

Free negroes and mulattoes and all male Slaves within the Town of Sunbury shall be liable and they are hereby directed yearly and every year to clear and keep Clean the several Streets Squares Lanes and the common of the said Town at such times as shall be prescribed by the Commissioners or Surveyors herein after named and Subject to the several Directions regulations Fines forfeitures and Penalties as are in this Act recited declared and mentioned

Commissioners names

And that Roger Kelsall Simon Munro, John Jones, John Graves Esquires and Samuel Miller shall be and they are hereby declared to be commissioners or Surveyors of the said Town and Common of Sunbury.

the fourth south west division

AND BE IT ENACTED that the Parish of Saint Andrew usually called the fourth south West Division shall Immediately after the passing of this Act be divided into two parts and hereafter be distinguished by the Names of the fourth and fifth South west division's and that the road leading to the River Alatamaha to the Bluff opposite M^{c}Tiers old place from the Boundary line of the Parish of St John be Called the fourth south west Division and that all the male white Inhabitants free negroes and Mulattoes and all Male Slaves to the south west of the said Road to the east of the said Road inclusive from the east line of the Plantation of William Le Conte Esquire on a parallel with the said Road leading to the Bluff opposite to

divided into two and to be known by the name of the fourth and fifth S W division

The fourth south west division

Persons liable to work therein

the

the place formerly called Mactiers on the Alatamaha River shall be and they are hereby declared liable to work within the said Division and that William Le Conte Jonathan Cockran Esquires Andrew Maybank, Moses Way, and Daniel Sullivant be and they are hereby declared Commissioners or Surveyors of the said Roads

Commissioners names

AND BE IT ENACTED that the several male White Inhabitants free Negroes and Mulattoes and all male Slaves within the said Parish (excepting those mentioned in the preceeding Clause) shall be liable to work within the fifth South West Division, That is to say on the Road leading from the Parish line of St John to Sapelo River and from thence by the meeting house to the Town of Darien in such direction as the Commissioners hereafter named shall deem the most convenient commonly Called the lower Road and also on the Road from the said Road to the upper Road commonly called the river Road and the Commissioners hereafter named are hereby Authorized and required to begin to work at the place where the lower Road in the Parish of Saint John terminates on the South line of the said Parish, and continue to work and make good the said Road over South Newport River before they begin to work on any other part of the said Roads. And Robert Baillie George McIntosh Stephen Drayton Esquires John Witherspoon and James Cantey

The fifth south west division

Viz from the Parish line of St John to the Town of Darien

and from thence to the River Road

Commissioners names

shall

shall be Commissioners or Surveyors for the said Division.

Sixth south west division

AND BE IT ENACTED that a publick Road shall be laid out from the low water mark at the ferry on Alatamaha river at McTiers old place to the Southern boundary line of the parish of Saint David and all Waters Creeks and Rivers within the same shall Be and Continue to be called the Sixth South West division and that the several Male white Inhabitants free Negroes and Mulattoes and all male Slaves within the said Parish shall be and they are hereby declared to be liable to work within the said Division and that James Spalding Esquire William Williams Arthur Carney Peter Nephew and Josiah Barrington shall be and they are hereby declared to be Commissioners or Surveyors of the Roads within the same and the said Commissioners are hereby Empowered and required to cause the said Road to be laid Out from low water mark from the said ferry.

persons liable to work therein

Commissioners names

who are to cause the road to be laid out from low water mark

The Seventh South west division

AND BE IT ENACTED That a Publick Road Shall be laid out from the South boundary line of the parish of Saint David to the Boundary line of the parish of Saint Patrick and all Waters Creeks and Rivers within the same shall be and Continue to be called the Seventh South west Division and that the Several Male white inhabitants free negroes and mulattoes and all male Slaves within the said parish Shall be and they

Persons liable to work therein

are

are hereby declared to be liable to work within the said Division And that James Butler, Thomas Jamieson and Daniel Ryan shall be and they are hereby declared to be Commissioners or Surveyors of the Roads within the same and the said Commissioners are hereby empowered and required to cause the said Road to be laid Out from the boundary line of the said Parish to the most convenient place on the Boundary line of the Parish of Saint Thomas.

Commissioners names

AND BE IT ENACTED That a Publick Road shall be laid Out from the Southern Boundary line of the Parish of Saint Patrick to the most Convenient Place for the Establishing a Ferry over Great Satilla to be agreed upon by a majority of the Commissioners or Surveyors of the Roads of the Parish of Saint Thomas and Saint Mary and all Waters Creeks and Rivers within the same shall be and Continue to be Called the eighth South West division and that the several male white inhabitants free negroes and mulattoes and all male Slaves within the said Parish shall be and they are hereby declared to be liable to work within the said Division, and that Charles Cantey James Lemmon and John Coburn shall be and they are hereby Declared to be Commissioners or Surveyors of the Roads within the same and the said Commissioners are hereby empowered and required to cause the said Road to be laid out in manner as before directed.

The Eighth South west division

Persons liable to work therein

Commissioners names

And

The ninth South west division

AND BE IT ENACTED that a Publick Road shall be laid out from the most convenient place for a ferry on Great Satilla River to the Boundary line of the Parish of Saint Mary opposite as near as possible to the road laid Out through the province of East fforida to Saint Marys River And all Waters Creeks and Rivers within the same shall be and Continue to be called the Ninth south West Division and that the Several male white Inhabitants free Negroes and mulattoes and all Male Slaves within the said Parish shall be and they are hereby Declared to be liable to work within the said Division And that Sampson Ball William Armstrong and Jermyn Wright Esquire shall be and they are hereby declared to be Commissioners or Surveyors of the Roads within the same And they are hereby empowered and required to lay out the said Road in manner as before Directed.

persons liable to work therein

Commissioners names

That the Commissioners for the parishes of St David St Patrick St Thomas &c St Mary do employ a Surveyor to lay out and mark the Roads

AND BE IT ENACTED that the Commissioners appointed by this Act to lay Out clear and repair the Roads to be laid Out through the parishes of Saint David Saint Patrick Saint Thomas and Saint Mary shall have power to employ a Surveyor to lay Out and Mark the said Roads in the most Convenient Place as by this Act is directed and that the several Commissioners or a majority of them shall and are hereby required to attend and direct the said Surveyor in laying out the same

AND BE IT ENACTED that the several roads already

ready laid Out and Established from the line of the Common of Savannah in the Eastern Division and a Road to be laid out from the Main Road on the Island of Skidoway to the most convenient Landing at a place called half moon Bluff on the said Island and also any Other Road that may be Necessary for the Convenience of the Inhabitants of the Sea Islands and all Rivers Creeks and Waters within the same shall continue to be called the Eastern Division and that the several male white Inhabitants free Negroes and Mulattoes and all male Slaves within the Limits herein after mentioned That is to say to the East ward of Vernon . . . River in a direct line from the Creek which terminates the same down to the Plantation of M^rs^ Russell and Samuel Bowen Esquire inclusive and the said Sea Islands within the parish of Christ Church shall be and they are hereby declared liable to work upon the several Roads within the said Division and that the Honorable Noble Jones and Henry Yonge Esquires John Mullryne James Deveaux, Josiah Tatnell Henry Yonge John Morel Philip Delegal and Archibald Bulloch Esquires shall be and they are hereby declared commissioners or Surveyors of the Roads within the same

The Eastern division

Persons liable to work therein

Commissioners names

AND WHEREAS The Inhabitants of the said Sea Islands are under great disadvantages by reason of the distance they are Obliged to go by Water to Work on the high Roads on the

The Inhabitants on the Islands

Main

to have sufficient time to go from their habitations to where they are to work

Main Be it therefore Enacted that all the Male Inhabitants residing on the said Islands on their Attendance on the Roads in manner as by this Act is directed shall be allowed by the said Commissioners respectively sufficient time to go from their Several Habitations to the places where they shall be Summoned to Work.

The Southern division

AND BE IT ENACTED that the Road from the line of the Common of Savannah to the Villages of Acton and Vernonburgh Including the Villages of Highgate and Hampstead in the Parish of Christ Church and the Waters Creeks and Rivers within the same shall be and Continue to be called the Southern Division, And that all the Male White Inhabitants Free negroes and Mulattoes and all the male Slaves within the Limits hereafter named That is to Say The Inhabitants of Acton Vernonburgh Highgate and Hampstead to the Southward of Vernonburgh on Vernon River And the Inhabitants to the eastward of the Plantation of Thomas Netherclift Esquire including the same in a South line from the said Plantation to the river little Ogechee and from said Plantation North to the South west corner of the line of the Common of the Town of Savannah Shall be and they are hereby Declared to be liable to work within the said Division and that Noble Wimberley Jones Esquire Joseph Butler, David Zubly, John Jamieson and Thomas Netherclift Esquires shall be and they are hereby Declared to be Commis-

Persons liable to work therein

Commissioners names

sioners

sioners or Surveyors of the Roads within the same

And be it Enacted that the Road heretofore made use of to the Village of Highgate commonly called the Highgate Road shall be and Continue a Road for the use of the Inhabitants in and about the said village and all other persons having occasion to use the same And any Person or persons Stoping up or Obstructing the said Road shall be liable to the fines and penalties herein after mentioned.

The High gate road to continue for the use of the inhabitants

And be it Enacted that if any Commissioners or Surveyors in and by this Act nominated and appointed Shall die depart the province or decline to accept the said Office or after accepting the same shall refuse to act therein the Commissioners or Surveyors of the Division for which such Commissioner or Surveyor was nominated or appointed Shall at Such Time or Times as is in this Act hereafter directed appoint another Commissioner or Surveyor in the room of him so dying departing the Province declining refusing or neglecting to Act as aforesaid unless when a majority of such commissioners or Surveyors in any one division shall at any one time be dead Depart the Province, neglect decline or refuse to act as aforesaid in which Case upon application of the remaining Commissioners or Surveyors of Such Division or upon knowledge thereof, the Governor or Commander in Chief

The Commissioners to appoint others in the room of those dying departing the Province &c

unless when a majority of such are dead or departed &c

with

in such case the governor &c Council may nominate others

with the advice and Consent of his Majestys Council is hereby empowered to Nominate and appoint Commissioners or Surveyors within Such division in the room of those dead departing the Province declining neglecting or refusing to act as aforesaid, which said Several Commissioners or Surveyors so nominated and appointed as aforesaid are hereby declared to be vested with the several Powers and Authorities and liable to the same fines and penalties as those in and by this Act nominated and appointed

The manner of Summoning persons to work upon the Roads

AND BE IT ENACTED that the Several Commissioners or Surveyors herein before named or the Majority of them Shall and they hereby have full power and Authority to appoint one or more person or persons within their Several divisions to Summon all such persons as by this Act are Obliged to work within the said Divisions at such times of the year and for as many days as they may think most Convenient and necessary not to Exceed Six days at one time or above twice in One year to repair, erect, open clear, and work upon the several Roads Causways Bridges Rivers Creeks Water passages and water Courses within the same, and the several Owners Managers and Employers of Male slaves within the several Divisions shall when Summoned as aforesaid deliver to the person or persons Summoning him her or them a list in writing of all such male Slaves as by this Act

are

are liable to Work Signed by such Owner Manager or Employer under the penalty of Three pounds which Lists the several Person or persons appointed to Summon as aforesaid shall deliver to the Commissioners or Surveyors of Such Division And the said Commissioners or Surveyors are hereby directed and impowered to Swear any Owner Manager Overseer or Employer Giving and Signing such Lists to the truth thereof and the person or persons appointed to Summons as aforesaid shall be exempted from his or their personal Labour in such Division and in case Such Person or persons appointed to Summon the persons Obliged to work as aforesaid shall neglect or refuse so to do such person or persons shall Severally forfeit Thirty Shillings.

And Whereas it may not be Convenient or Practicable for the several persons Obleged by this Act to work within the several Divisions to erect Bridges over the Rivers or Creeks within the Same

Be it therefore Enacted that the Commissioners or Surveyors of Such Division shall and they are hereby Impowered to contract and agree with any person or persons willing to undertake the same for the erecting or Building such Bridge or Bridges not less than Sixteen feet Broad over Rivers or Creeks not exceeding Eighty feet in width and to defray the expences

The Commissioners may Contract with persons to erect Bridges

the Breadth and width thereof

pences of the same by an equal assessment upon all persons liable to work within the said Division

Proviso

PROVIDED NEVERTHELESS that where it may appear necessary to erect Such Bridge over any Creek or river being between two Divisions the

if such Bridge is between two divisions the charge to be at the expence of both

labour and Charge of Erecting such Bridge shall equally be done or raised by Assessment upon both the divisions and that such Bridge shall afterwards be kept in repair by the Joint Labour of Such Divisions and if any Person or persons within the same shall neglect or Refuse to pay his her or their Assessment the same may and Shall be levied upon his her or their goods and Chattels in the manner hereafter mentioned

Persons not obeying the Summons Vizt White Inhabitants Free negroes or mullattoes

AND BE IT ENACTED that every Male white Inhabitant (except as before Excepted) Free Negro or Mulattoe who being duly Summoned to work within the respective divisions wherein by this Act such Male white Inhabitant Free Negro or Mulattoe are Obliged to work . . . shall Neglect Or refuse to Obey such summons, shall for every day he or they shall neglect or refuse to appear or work as aforesaid forfeit

to forfeit five shils

a Sum not Exceeding five Shillings except the White Inhabitants of the division of the Town of Savannah who shall be Subject to the yearly

Except the white inhabitants of Savannah who pay yearly two shillings

Sum of two Shillings and for every day the Owners Managers or Employers of any Male Slave liable to work as aforesaid shall neglect

or

or refuse to send such Slave to perform such work he she or they shall forfeit a Sum not Exceeding two Shillings cases of sickness always and only Excepted.

and for male Slaves Two shillings

AND BE IT ENACTED that every male white Inhabitant liable to work and appear as aforesaid shall when Summoned and appearing on the Road within his division in Obedience to such Summons carry with him one good and Suffi cient Gun or pair of pistols and at least nine Cartridges to fit the same or twelve loads of powder and Ball under the penalty of five Shillings for every day he Shall neglect so to do

The male white inhabitants appearing on the Road to carry Arms

AND BE IT ENACTED that no Civil Officer or any person whatsoever shall on any pretence Execute any Warrant or Process unless for fellony, Treason, or Breach of the peace on any Person or Persons during the time such person or persons shall be working upon the saide Roads or in going to or returning from working or appearing as aforesaid on the same or within Twenty four hours after such person or persons shall be discharged from working upon such Road under the penalty of forty Shillings and the service of such warrant or process on any such person or persons is hereby declared to be void to all intents and purposes and during the time aforesaid not any implements of Labour shall be liable to be distrained or taken in Execution for any Cause matter or thing whatsoever

No Civil Officer to Execute any Warrant or process except for Fellony &c on persons during the time they are working upon the Roads &c

ever except for any payment or assessment mentioned in, or for any fine or forfeiture incurred by this act, and Excepting Arms and Accoutrements which shall not be liable to be taken or seized upon any Occasion whatsoever and in case any person shall seize Levy or distrain upon any such implements of Labour arms or Accoutrements (except as above excepted) every such person shall forfeit the sum of forty Shillings

The Commissioners may appoint Overseers

AND BE IT ENACTED that the Commissioners or Surveyors aforesaid or any one of them shall and hereby have full power and Authority to nominate and appoint one or more overseer or overseers in their respective divisions to attend view manage and direct all Persons working within the same and such overseer or overseers have hereby full power and authority to correct any slave or slaves neglecting the work by them to be done by whipping them with a Cowskin switch or whip not exceeding twenty lashes and in case of any white person Free Negro or Mullattoe neglecting to work or perform the duty required of him or them the commissioners or Surveyors shall upon report and proof thereof by the said overseer or overseers fine every person so offending in a sum not exceeding five shillings for every such offence and if any person or persons chosen overseer or overseers as aforesaid shall refuse to act as such, or after accepting the same shall neglect to do and

the Power of Overseers

perform

perform the duty thereof, such person or persons so refusing or neglecting shall at the discretion of the said Commissioners or Surveyors be fined in a Sum not exceeding thirty Shillings for every such offence.

Penalty on those stoping of water or damaging the Roads Causeways &c

And be it Enacted that if any person or persons whatever shall at any time stop up alter or in any wise Damage by stoping of water or by any means whatever, any of the roads Bridges Causeways, Rivers, Creeks, Passages or Water Courses already laid out or that may hereafter be laid out Cleared & Erected by virtue of this or any former Act or Acts of the General Assembly of this Province every person or persons so offending shall be Summoned and required by The several Commissioners or Surveyors of the divisions where such offence shall be Committed or by the Majority of them forthwith to amend clear or repair the same, and in Case of the refusal or neglect of Such party or parties so to do such person or persons so offending shall be fined at the discretion of the said Commissioners or Surveyors in a Sum not Exceeding five pounds and the said Commissioners or Surveyors or the majority of them are hereby required and empowered to Hire or employ such a number of hands as may be necessary to amend repair and Clear the same and the expence of Such amendment repairing or Clearing shall be defrayed and paid by the person or persons so neglecting or refusing as afore-

said

said which fine and expence Shall on refusal of payment be levied as in this Act is hereafter Directed

The width of the Roads

AND BE IT ENACTED that the several roads already laid out or to be laid Out within the Several divisions shall be at least Twenty four feet and not exceeding thirty six feet wide and that

Trees left standing 10 feet from the line of the Road

the Trees shall be left standing Ten feet from the line of the said Road for shading the same except where the Commissioners or Surveyors may think it necessary for drying the Swamps or low Lands on the same in which case they shall have full power to order and cause to be cut down the said trees or as many of them as they shall think necessary for that purpose and in case any person or persons after such road is laid out and cleared shall cut down any Trees growing within ten feet as aforesaid (except as before excepted) he or they shall forfeit and pay for every Tree cut down a sum not exceeding Twenty Shillings

Penalty on persons obstructing the passage of Roads &c

AND BE IT ENACTED that if any person or persons whatever shall by themselves their slaves or servants (for whom their respective owners managers Employers or masters shall be answerable) by any means whatever Obstruct or Stop the Passage of any of the Roads Bridges rivers or Creeks within any Division in this Province or hinder or forbid any Traveller from going through or upon the same or Obstruct or

oppose

oppose the Commissioners or Surveyors of such divisions the Overseers white persons free negroes and Mullattoes or slaves working in and upon or Clearing the same in so doing or in cutting down fitting or making use of any Trees or timber wood earth sand or Stones in or near the same for mending making or repairing the said Roads and Bridges or any Causeway whatever within the same, such Person or persons so offending shall forfeit a Sum not exceeding Ten pounds

or opposing the Comsioners in Clearing the same

And for the better and more effectual carrying this act into Execution Be it Enacted that the several Commissioners or Surveyors nominated and appointed *or to be Nominated and appointed* by virtue of this Act shall meet yearly and every year on the third Tuesday in July and at any Other time the Commissioners or Surveyors of the Roads in their several Divisions may appoint, at the most convenient place within the respective parishes or or at the choice of Such Commissioners or Surveyors And then and there determine all matters relating to the several Roads Bridges Rivers Creeks Causeways Passages or water Courses already laid out erected Cleared or made within their Respective parishes and also assign any Particular part of the duty to be performed by any particular person or persons commissioner or Surveyor and to appoint the time or times of working within

The Commissioners to meet yearly

on the 3rd Tuesday in July

to determine all matters relating to the Roads &c

their

their divisions and if necessary to divide the same and Also in pursuance of this act to choose other Commissioners or Surveyors in the room of any dying departing the province, declining refusing or neglecting to Act, All which shall be agreed upon and determined by the Majority of the Commissioners or Surveyors then Present

AND WHEREAS the opening a Safe and convenient Communication by water throughout the Province is a matter of great Moment to the Interest of the same in General and those divisions that border upon the Several Creeks and Rivers in particular Be it Therefore Enacted that the Commissioners or Surveyors of the several divisions shall be and they are hereby Impowered and required to make any such cut off as shall be thought necessary from River to River or from Creek to Creek and to clear and open the Several Rivers and Creeks within the said division and to employ in such Cutsoff and Clearing the several persons Obliged to work within such division and every person or persons refusing to work upon such Cutsoff or in Clearing the Rivers and Creeks as aforesaid when thereunto duly Summoned by the Commissioners or Surveyors as aforesaid shall be liable to the same penalties as are in and by this Act Inflicted on those persons who neglect or refuse to work upon the Roads within the Several Divisions

The Commissioners empowered to make Cut-offs from Creek to Creek &c

And

when Commissioners appoint Ferries

And be it Enacted that wherever the Commissioners or Surveyors of any division shall by virtue of this Act appoint Ferries over the rivers or Creeks within the same such Commissioners or Surveyors shall agree with a proper person to attend the same and provide and find a Sufficient Boat or Flat for such Ferry and shall settle the Rates to be taken for the same which shall be accordingly paid untill altered by the next meeting of the General assembly and that in the appointment of and agreement for attending such Ferry the preferrence shall always be given to those persons upon whose lands such Ferry shall be Established, but in case such Person or Persons shall refuse accepting the charge of the said Ferry the Commissioners or Surveyors may and they are hereby Authorized to lay out a piece of Ground not exceeding Two acres for the use of the person or persons who may accept the same upon such person or persons paying the Owner or Owners of such Land a reasonable yearly rent to be ascertained by three neighbouring freeholders to be Chosen by the Several Commissioners or Surveyors of the division and Such Owner or Owners

they may agree with proper persons to attend the same &c

The Commissioners may lay out private paths for the Conveniency of particular Settlements

And be it Enacted that the Commissioners or Surveyors within their respective divisions upon application being made to them by any person or persons concerned shall and they hereby have power and Authority to lay out

any

any private Path for the Conveniency of particular Settlements to the nearest publick Road Bridge Ferry or Landing *place* which Roads are to be Cleared opened and kept in repair solely by and at the joint proportional Expence of the person or persons applying for the same or who shall use the same in Common of which proportional Expence the said Commissioners or Surveyors are hereby declared to be sole Judges, and if any person or persons who shall have applied to the said Commissioners or Surveyors for laying out the said Roads or who shall make use of such Roads in common shall refuse or neglect to keep the said Roads in repair as aforesaid such person or persons shall be liable to the same penalties and forfeitures as are in and by this Act Inflicted on persons who neglect or refuse to work on the Publick Roads

fines and forfeitures how levied

AND BE IT ENACTED that all Fines assessments & forfeitures directed and Inflicted by this act shall upon refusal of payment by any Person or Persons assessed or Fined by virtue of the same be Levied by Warrant of Distress and sale of the offenders Goods under the hands and Seals of the majority of the Commissioners or Surveyors of the division in which the same shall be assessed or be Incurred, and directed to any Constable or Other person of their appointment of the parish wherein the person or persons offending against this Act refusing to pay and incurring the same Shall reside and

shall

shall unless otherwise disposed of by the Act, be applied towards the repairs of the Several, Roads Bridges and Causeways or the Clearing of any Rivers or Creeks within such Division and the Commissioners or Surveyors of the Several Divisions shall be accountable to the General Assembly or either Branch thereof when thereunto required

Penalty on Commissioners not attending on the roads during the working time

And be it Enacted that if any Commissioner or Surveyor appointed or to be appointed by virtue of this Act, shall not Daily and every Day attend upon the Roads Rivers and Creeks within their respective Divisions during the time of Working upon the same or at any or every other time or times by this Act appointed or whenever thereunto required by the majority of the Commissioners or Surveyors of such Divisions or if any of the said Commissioners or Surveyors so appointed, shall after accepting the said office refuse or neglect to do and perform the Several duties required of them in and by this Act then and in Such case such Commissioner or Surveyor shall by and at the discretion of the Majority of the Other Commissioners or Surveyors of his division be adjudged to forfeit a sum not exceeding five pounds to be levied and applied as herein is before directed Provided that this Clause shall not extend or be Construed to extend to inflict any fine or Penalty on any Commissioner Or Surveyor who after serving by virtue of this or any former

Act

Act of Assembly the space of three years, shall choose to decline the said office

Commissioners or others sued for any matter Act or thing they do by virtue of this Act

AND BE IT ENACTED that if any Commissioner Or Surveyor of the Roads, Overseer, Constable or Other person whatever shall be sued arrested or Impleaded for any matter Act or thing which he or they shall do or cause to be done by virtue and in pursuance of this Act, it shall and may be lawful for every Commissioner or Surveyor of the Roads, Overseer, Constable and Other person to plead the General Issue and give this Act and the special matter in Evidence and in case the Plaintiff or prosecutor shall Suffer a discontinuance Enter a Noli prosequi Suffer a non suit or if a Verdict or Judgement Shall pass against him he shall pay to every defendant that shall be Acquitted or for whom Judgement shall pass double Costs of Suit, and any Court where such Prosecution shall be brought is hereby fully authorized and Impowered to Give Judgement and award Execution accordingly.

may plead the General Issue &c

monies and forfeitures Incurred in the town division

AND BE IT ENACTED that all monies raised and forfeitures Incurred by virtue of this Act by Any person or persons liable to Work in the Town division shall be applied towards keeping in repair and sinking Publick Wells in Savannah.

how disposed of

AND to prevent doubts and difficulties that might arise Be it further Enacted that the several

eral Commissioners herein named and their Successors Shall Cause an Accurate Survey of the Publick Roads in their respective divisions to be made and a plan thereof delineated with the Distance and Courses of the same laid down and mile and direction posts to be erected which said Plan shall be kept in the hands of the said Commissioners and their successors, And the Expence of Surveying and delineating the same and erecting such posts to be defrayed by the said Commissioners and their Successors in their several districts or divisions who are hereby authorized and Impowered to pay the same from and Out of the Fines and forfeitures that shall or may be Incurred and raised under and by virtue of this Act any thing herein contained to the contrary in any wise notwithstanding

Commissioners to cause Exact Surveys to be made of the Roads

and mile & direction Posts erected

AND BE IT ENACTED that this Act shall continue and be in force for and during the term of three years And from thence to the end of the then next Session of the General Assembly and no longer

to Continue three years

By Order of the Commons House of Assembly

WILLIAM YOUNG Speaker

By order of the Upper House of Assembly

JAMES HABERSHAM President
Council

Council Chamber
29th September 1773

Assented to

JA. WRIGHT

Georgia

Secretarys Office
A true Copy taken from the Original in this Office Examined & Certified by

THOS MOODIE D SECY

(State Archives.)

AN ACT

Title *To prevent the Mischiefs arising from the Practice of Hunting and Killing deer by fire light in the night time.*

Preamble WHEREAS the dangerous practice of hunting by fire light in the night time under pretence of killing Deer is now become very common by means whereof Cattle are frequently destroyed to the manifest injury of the Owners of the same for remedy thereof & in order to prevent as much as may be the like mischiefs in future We humbly pray his most Sacred Majesty that

Enacted it may be Enacted AND BE IT ENACTED by His Excellency

Excellency Sir James Wright Baronet Captain General and Governor in Chief in and over his Majestys Province of Georgia by and with the Advice and Consent of the Honourable Council and the Commons house of Assembly of the said Province in General Assembly met and by the Authority of the same That from and after the first day of June next ensuing the passing of this Act if any person or persons within the province (Free Indians in amity wth this Province excepted) Shall hunt by fire-light or kill any Deer so hunting by fire-light in the night time without his or their own Inclosures every such person being thereof convicted upon the Oath of one or more Witness or Witnesses before one or more Justice or Justices of the peace for the parish in which such Offence Shall be committed (which Oath such Justice or Justices are hereby empowered to administer) shall for every such Offence forfeit and pay the Sum of five pounds one moiety thereof shall be paid to the Informer or Informers and the other moiety shall be paid and applied to the use of the Poor of the Parish where such offence shall be committed AND BE IT FURTHER ENACTED by the authority aforesaid that the forfeiture incurred by this Act as aforesaid shall be levied by distress and Sale of the offenders goods and chattels by warrant under the hands and Seal or hands and Seals of the Justice or Justices before whom the person or persons so incurring shall be convicted (which warrant such Justice or Justices is and are hereby

That persons hunting by Fire light.

without their own Inclosures.

shall forfeit £5.

forfeiture how Levied

hereby empowered to grant) returning the Over plus if any to the Owner or Owners thereof after deducting the said Penalty or forfeiture, and the charge of such distress and Sale, and in case the person or persons so offending and convicted shall have no Goods and Chattels sufficient to answer such penalty and forfeiture then it shall and may be lawfull for such Justice or Justices by Warrant to commit such Offender or Offenders to the publick Goal at Savannah or the Goal for the Parish where such Offence shall be committed for any time not exceeding one Callender month nor for less than twenty days, or untill such penalty or forfeiture shall be paid there to be and remain without bail or Mainprize

to continue in force two years.

AND BE IT FURTHER ENACTED that this Act and every thing contained therein shall continue and be in force for the space of two years and no longer.

By order of the Commons House of Assembly

WILL^{M}. YOUNG Speaker

By order of the Upper House of Assembly

JAMES HABERSHAM President.

Council Chamber
29th September 1773.

Assented to

JA. WRIGHT.

State

(State Archives.)

AN ACT

For the better ordering the Militia. Title

WHEREAS a Well Ordered and disciplined Militia is Essentially necessary to the Safety Peace and Prosperity of this Province And Whereas the Governor and Commander in Chief for the time being hath full Power and Authority from time to time to Constitute and Appoint and give Commissions to such Persons as He Shall think fit to be Colonels, Majors, Adjutants, Captains and other Commission Officers We Humbly pray your Most Sacred Majesty that it may be Enacted and be it Enacted by His Excellency Sir James Wright Baronet Captain General and Governor in Chief in and over his Majesty's Province of Georgia by and with the Advice and Consent of his Majestys Honorable Council and the Commons House of Assembly of the said Province in General Assembly met and by the authority of the Same That it shall and may be Lawful to and for the Governor or Commander in Chief for the time being to assemble and call together all male Persons in this Province from the Age of Sixteen Years to Sixty Years within the Towns Divisions, Parishes and all Places within this Province at such times, and arm and array them in such manner as is hereafter expressed and declared and

Preamble

Enacted

That the Governor may assemble Male persons from 16 to 60 years within the Province and form them into Companies &c and in Case of Insurrections &c. to lead them to Suppress Such.

and to form them into Companies Troops and Regiments and in case of Insurrection Rebellion or Invasion them to Lead Conduct and Employ or cause to be Lead Conducted and Employed as well within the said Towns Divisions Parishes and Places where such Persons reside as into any other Division Parish or Place within this Province for Suppressing all such Insurrections and Rebellions or Repelling such Invasions as may happen to be.

Proviso & Enacted that Commissioned Officers take the Oaths—

PROVIDED ALWAYS AND BE IT ENACTED that every commissioned Officer in the Militia shall within Six months after he Shall have accepted his Commission take the Oaths appointed to be taken in and by an Act of the Parliament of Great Britain made in the First year of the Reign of his late Majesty King George the First Intituled an Act for the further Security of his Majesty's Person and Government and the Succession of the Crown in the Heirs of the late Princess Sophia being Protestants and for Extinguishing the hopes of the Pretended Prince of Wales and his open and Secret Abetters as Such Oaths are altered in and by another Act of the Parliament of Great Britain Passed in the Sixth Year of the Reign of his present Majesty Intituled an Act for altering the Oath of abjuration and the assurance and for amending so much of an Act of the Seventh Year of her late Majesty Queen Ann Intituled An Act for the Improvement of the Union of the two King-

doms

doms as after the time therein Limitted Requires the Delivery of Certain Lists and Copies therein mentioned to Persons Indicted of High Treason or misprison of Treason and also that every such Commissioned Officer in the Militia shall Immediately after taking the Oaths aforesaid make repeat and Subscribe the Declaration against Transubstantiation directed to be taken in and by the Several Acts of Parliament in that case made and Provided.

That in every Division Regiments and in every parish Companies be formed

And be it further Enacted that in every Division there shall be formed one or more regiment or regiments and within every Parish in the respective Divisions one or more Company or Companies which Said Regiments and Companies shall consist of Such Number of Men as the Governor or Commander in Chief for the time being Shall think Proper.

That it shall be Lawful for the Field Officers on any day when any 3 companies assemble within 10 miles of each other to Train such Companies in Battalions &c.

And be it further Enacted that it shall and may be Lawful to and for the Colonel or in his absence the next field Officer of every Regiment already formed or hereafter to be formed on any days and times when any three or more of the Companies shall assemble to be trained Mustered or Exercised within Ten Miles of each other to cause Such Companies to Assemble together at some Convenient Place within the Division or Parish of such Regiment to which Such Companies Shall respectively belong and to train and exercise such Companies

in

Excepting the Inhabitants of the Sea Islands who are to appear only at General Musters, and at Ordinary Musters twice a year.

in Battalions in such Manner and form as such Colonel or other Field Officer shall think fit excepting all Such Companies that may hereafter be formed upon any Islands upon the Sea Coast And in the meantime the Inhabitants of the said Islands shall not be Obliged by this Act to appear but at the General Musters and at Ordinary Musters not exceeding twice a year.

That Inferior Officers neglecting to attend the place of Rendesvous &c. shall forfeit £5.

AND BE IT FURTHER ENACTED that every Captain or other Inferior Commissioned Officer of any Company who Shall refuse or neglect to conduct and Lead his Company or to attend the Same to the place of rendezvous of any General Muster hereby appointed or to the Exercising of the Company in Battalions according to the Directions of this Act every Such Captain and other Inferior Commissioned Officer of any Such Companies So refusing or neglecting shall for every Such Offence forfeit and pay the Sum of Five pounds and the said Offences shall be heard tried and determined and the said Fines Levied in the same way and manner as other Offences of Captains and Commanding Officers of Companies by this Act are directed to be tried heard determined and Levied.

That Field Officers appoint General Musters once a year, and Commanding Officers of Companies Exercise them Six times a year—

AND BE IT ENACTED that it Shall be Lawful for every Colonel or in his absence the next Commanding Field Officer to Appoint one General Muster of their respective regiments once in every year, and also for every Captain or other Commanding

Commanding Officer of the Several Companies to Assemble Muster Train and Exercise their respective Companies or any of them for Ordinary Musters not exceeding Six times in one Year giving notice of such Muster by beat of Drum or in such other Expeditious Manner as such Colonel Captain or other Commanding Officer shall think fit Provided that no Person or Persons whatsoever shall be Compelled or Obliged at any General Muster to go out of the Division where such person resides nor at Ordinary Musters to go out of the Parish or above Twelve Miles from where Dwells nor to remain at the place of Ordinary or General Muster above one day except in time of Actual rebellion Insurrection or Invasion or in other cases herein after particularly mentioned— Provided Also that this Act or any thing herein Contained shall be deemed Construed or taken to extend to the giving or declaring any Person for transporting or sending or any ways Compelling any of his Majesty's Subjects in this Province to March out of the Same.

Provided that no person remain above one day Except in time of Insurrections &c

Proviso also that no person shall be compelled to March out of the Province.

And be it Enacted that the Captains of the Several Companies in each Division or Parish Shall respectively Enter Enlist and Enroll the names of all the Male Inhabitants from the Age of Sixteen to Sixty years within the Several and respective Parishes and Divisions and Shall cause the Several Persons so Enlisted to be duly Summoned to appear at the times and

That Captains Inlist the Male Inhabitants within their Division and Cause them to appear at Musters.

Places

Places appointed for Ordinary Musters in each respective Parish and Division and the Publishing the Muster days aforesaid Shall be deemed a Sufficient Summons within the Intent of this Act to Oblige the Persons liable to appear At Such Musters and the Persons whose Names shall be so Entered Enlisted and Enrolled shall be deemed and held to be Enlisted in and to belong to the Company of that parish or Division in which they shall be so Enlisted and Enrolled and Shall be obliged to appear at Musters and on all other occasions and to be Subject to the directions of this Act without any further notice whatever.

Persons liable to appear, are to Carry a Gun &ca.

AND BE IT ENACTED That every Person liable to appear and bear arms at any Exercise Muster or Training hereby appointed Pursuant to the directions of this Act Shall constantly keep and bring with them to Such Muster Exercise or Training one Gun or Musket fit for Service one Catridge Box with at least Nine Catridges filled with Good Gun Powder and Ball that shall fit his Piece a horn or Flask containing at least a Quarter of a Pound of Gun Powder a shot Pouch with half a pound of Bulletts one Girdle or Belt one Worm and Pricker four Spare Flints a Ball of Bees Wax and a Cork that Shall fit his Piece a Bayonet Sword or Hatchet of the fitness and Sufficiency of which Arms Amunition and Accoutrements every Commanding Officer of the Company to which Such Person belongs is hereby declared to be Judge.

And

And be it Enacted that in case any Person liable to appear and bear arms at Musters shall neglect or refuse to appear compleatly armed and furnished as aforesaid at any General Muster of the Regiment to which the Company in which he is Enlisted and Enrolled shall belong every Such Person shall forfeit and pay a Sum not exceeding Twenty Shillings and in case any Such Person shall neglect or Refuse to appear in manner aforesaid at any ordinary Muster such Person shall forfeit and pay a Sum not Exceeding Ten Shillings which Said Several penalties shall be Recovered and disposed of as is herein after directed.

Persons neglecting to appear to forfeit for a General Muster twenty shillings for an Ordinary one 10/ —

And be it Enacted that it Shall and may be Lawful for the Commission Officers of any of the Companies or Troops Six times in the year and not oftner to take to their assistance if they think fit the Serjeants of such Companies and at any convenient time of the day to Repair to the places of Residence of any Person or Persons as well those Persons obliged to appear on alarms as other Persons liable to bear arms and Entered and Enlisted in any Such Company and to Demand a Sight of their arms amunition and accoutrements aforesaid and in case any Person or Persons shall neglect or Refuse to Produce any Such arms amunition and accoutrements or to Suffer the same to be received and Inspected or if when Produced the said Officers shall find the same defective it shall and may

That the Officers 6 times in the year may repair to the place of residence of persons obliged to bear arms and view the same—

be

be Lawful to and for the said Officers to fine every Person offending herein in any Sum not Exceeding five Shillings and to proceed against him or them for levying the same in all respects after the same manner as is directed for Proceeding against Persons who do not appear at ordinary Musters And Whereas it may be convenient and necessary on some Particular and Special Occasions to assemble the said Companies at other times than are usually fixed for Ordinary Musters Be it therefore Enacted that whenever any of the said Companies shall be assembled or Mustered on any Particular and Special Occasions the same Shall be esteemed and Accounted as one of the Six Times on which the said Companies are obliged to Muster in one Year Provided always that the General Muster of any of the said Companies according to the directions of this Act shall not be esteemed or accounted as of the Six times on which the said Companies are obliged to Muster in one year and that no Company or Companies be assembled on such Special and Particular Occasions without the order command and direction of the Governor or Commander in Chief for the time being Provided Also that this Clause shall not be construed to hinder the assembling of any of the said Companies or parts thereof for suppressing Insurrections Pirates Sea Rovers and fugitive Slaves.

And as on special Occasions Companies may be assembled.

Enacted

That such be esteemed one of the Six times in the year—

Proviso

A General Muster not to be accounted as one of the Six times—

AND WHEREAS it may very much contribute to the

the Safety of this Province to have a Troop or Troops of Horse in readiness on Particular and Extraordinary occasions Be it Enacted that the Governor and Commander in Chief for the time being may from amongst the Inhabitants who will voluntarily Enlist form a Troop or Troops of Horse not Exceeding in the whole Two Hundred Men and the Commissioned Officers appointed to command such Troop or Troops shall Muster Train and Exercise them not less than Four Times in one year at Savannah or such other place as the Governor or Commander in Chief for the time being shall direct and appoint.

That the Governor may form Troops of Horse—

And be it Enacted that every person who shall Enlist in the said Troop or Troops so to be formed shall provide himself with a good and able Horse and with such Cloaths Arms Amunition and furniture as the Majority of the Officers shall agree upon and every Person or Persons so Enlisted in the said Troop or Troops shall be excused and Exempted from any Service in any other Regiment Troop or Company Patrol duty excepted Provided no Person Shall be admitted to Enlist in the said Troop or Troops unless he shall be first approved by the Colonel or other Commanding Officer thereof and every Person So Enlisted shall obtain a certificate from the Colonel or Commanding Officer which certificate the person so Enlisted Shall produce to the Captain or commanding Officer

The Method of forming such Troops.

of

of the Company of such Division or Parish where the Person so Enlisted shall live and reside and untill the Person so Enlisted shall produce to the Captain or Commanding Officer such Certificate he shall be liable to the Penalties and Forfeitures inflicted by this Act for not keeping Arms are not appearing at the Musters Trainings and Exercise directed by this Act and the persons so Enlisted shall not be discharged from the same without giving Three Months Notice in Writing to the Colonel or other commanding Officer aforesaid of his Intent to be discharged and shall produce a Certificate at the end of the said Three months to such Colonel or Commanding Officer that he is Enlisted in the Foot Company of the Division or Parish where he resides and upon such notice given and Certificate produced he shall be discharged from the said Troop to which he belongs and not otherwise.

That in times of Insurrection the Troops shall attend the Governor

AND BE IT ENACTED That in time of any Actual Rebellion Insurrection or Invasion the said Troop or Troops shall attend the Governor or Commander in Chief for the time being in any part of this Province where the said Governor or Commander in Chief for The time being may be in Person, and in such times of Rebellion Insurrection or Invasion shall march or go to any place in this Province where the said Governor or Commander in chief for the time being shall Judge their Service necessary and shall on all other Publick occasions attend the said

Governor

Governor or Commander in Chief for the time being upon notice Given in the Publick News Papers or being Personally Summoned by any Person appointed for that purpose by the Colonel or other commanding Officer and if any Person Enlisted in the said Troop or either of them shall neglect or Refuse to appear at the days and times so appointed upon able Horses and with such Cloaths Arms Amunition and Accoutrements as the Majority of the Officers shall have agreed upon or after appearing shall Refuse to March when and where Ordered within this Province such Person shall forfeit a sum not Exceeding Ten Pounds and if any Person so Enlisted Shall neglect or Refuse to appear at the days and Times appointed for Musters armed and accoutred as aforesaid every such Person shall forfeit a Sum not Exceeding Twenty Shillings to be Recovered and applyed as herein after is directed.

Penalty on Refusing.

And be it Enacted that every able Male Person (Slaves excepted) from the Age of Sixteen years to Sixty years who has once resided and shall be within this Province for the space of three months is hereby declared to be liable to bear arms in the Regiment Troop or Company in this Province or some or one of them according to the Directions of this Act except the several persons herein after particularly mentioned who shall be excused or exempted from appearing at General and Ordinary Musters at such

Male Persons residing three Months in the province liable to bear arms.

times

times and in such manner as is herein after mentioned and provided That is to say all such Persons who are members of his Majestys Council and their Officers the Members of the Assembly and their Officers the Chief Justice and Justices of the General Court (not being Officers of any Regiment Troop or Company) the Attorney General the Secretary of the Province the Receiver General and Auditor the Attornies Officers of the General Court the Clerk of the Crown and Peace the Provost Marshal the Master and Register of the high Court of Chancery the Judge of the Vice Admiralty the officers of his Majesty's Customes the Surveyor General of his Majesty's Lands the Clergy and such Students of Divinity at Bethesda whose names shall be delivered to the Governor or Commander in Chief for the time being the Catechists, the Publick Treasurer the Powder Receiver Comptrollers Waiters and Commissary and his Majesty's Justices of the Peace who shall Quallify themselves and Act as such Practitioners in Physic and Surgery and Apothecaries who shall practice as such also Pilots and Ferry men Goalers of common Goals and Wardens of Work Houses and no other Provided that all the Persons aforesaid (the members of his Majestys Honourable Council the Assembly and their Officers The Chief Justice The Clerk of Crown and Peace Goalers of Common Goals and Wardens of Work Houses not being Officers in any Troop or Company Pilots and Ferry men

Persons Excepted

only

only excepted) shall in time of Rebellion Insurrection or Actual Invasion attend under the proper Colours of the Company in the Division or Parish in which such persons shall actually live and reside compleatly armed Furnished as in and by this Act directed for Private men in the Companies of Foot or shall attend the Governor or Commander in Chief for the time being with Horse and Arms in the same manner as the Troop or Troops are herein before directed on pain of Forfeiting a Sum not Exceeding Ten Pounds.

Indented Men Servants to appear at Musters properly accoutered at their Masters Expence

AND BE IT ENACTED that every Master or other Person who hath the power over Government or Command of any Indented Man Servant who shall be Employed within this Province shall at his and their own proper costs and charges furnish and provide every such Indented Servant during his Servitude with the arms Amunition and Furniture directed by this Act and every Master and other Person Shall constantly keep such arms amunition and Furniture for every such Indented Servant and shall send him or them so compleatly armed and Furnished to all Musters Trainings and Exercises directed by this Act and in case such Indented Servant shall not appear or his arms Amunition and Furniture be found defective the Master or other person having the Government of such Indented Servant shall on Default made in any of the premises be subject to the same

Penalties

Penalties inflicted on other Persons liable to appear by this Act Provided that if any such Servant duly Furnished and Provided as is herein before directed and sent to muster by the Master or other Person under whose Government such Servant shall be, shall of his own accord neglect or Refuse to appear at any Training Muster or Exercise appointed by this Act the Master or other Person under whose Government such Servant may be shall be liable to the Penalties by this Act Inflicted for the Default of such Servant and every such Servant so offending shall be obliged to serve the said Master two weeks for every Penalty so paid by his Master or other Person as aforesaid.

Servants freed from Servitude allowed Six Months to provide Arms.

AND BE IT ENACTED that every Servant who shall be freed and discharged from his Servitude shall be allowed Six months after such discharge to provide himself with the Arms Amunition and Furniture by this Act directed and Required and untill the said Term is expired he is hereby freed and Exempted from the Penalties Inflicted by this Act.

No civil Officer to Execute any process (unless for Treason &c) on persons obliged to bear arms in going to at or returning from any Muster.

AND BE IT ENACTED that no civil Officer shall on any Pretence execute any Process (unless for Treason Felony or Breach of the Peace) on any person at any Muster or other Time when such Person shall be obliged to bear arms in pursuance of the directions of this Act nor in going to staying at or Returning from any Muster

ter or Place of Rendesvous or within Twenty four Hours after such person shall be discharged from appearing in the Company Regiment or Troop to which he shall belong under the penalty of Forty Shillings and the Service of any Process on any such Persons is hereby declared void to all Intents and purposes and all arms Amunition and Furniture which are Required by this Act to be provided shall not be liable to be Seized distrained or taken in Execution for any Act Cause matter or Thing and in case any Person shall Seize Levy or distrain upon any such arms amunition and furniture contrary to this Act every such Person Shall Forfeit a Sum not exceeding Forty Shillings to be Sued for and Recovered as is herein after directed.

Duty of the men when under Arms—

And be it Enacted that in case any Person obliged to bear arms whilst the Regiment Troop or Company to which he shall belong shall be under arms or in array shall neglect or refuse to fire his Gun not exceeding Six times each Muster day or Willingly neglect or Refuse to do his duty or to obey the Lawful commands of his Officer or if any Such Militia Man be drunk at the time of this Exercising the Majority of the Officers of the Troop or Company to which such person shall belong if the offence be committed in a single Troop or Company or any Two Field Officers of the Regiment to which such Person shall belong if the offence be committed

mitted in a Regiment shall have full Power and authority to inflict on the Person so offending any Pecuniary Fine not exceeding Twenty Shillings and in case any Person shall be disobedient or Raise any Mutiny or Sedition in such Regiment Troop or Company Under arms or in Array such Person shall be liable to a fine not exceeding Forty Shillings and the said officers Respectively over and above such Pecuniary Fine may Imprison or confine the offender untill such time as the Regiment Troop or Company to which the offender shall belong shall be discharged from bearing arms on the occasion for which they are assembled.

And how they are to be punished—

When persons obliged to bear arms remove from one Division to another.

AND BE IT ENACTED that in case any person obliged to bear arms shall remove from one parish Division or place to any other it shall and may be lawful for the Captain or commanding officer of the Company to which such person last belonged to Levy the Penalties inflicted by this Act for not appearing at Muster or for not having or being provided with sufficient arms Amunition and Furniture in the same manner as if such person had not removed from the Parish Division or place to which he belonged untill such time as the person so removing shall produce a certificate from the colonel or commanding Officer of the Troop or from the Captain or commanding Officer of the Company of the Division or Parish into which such person shall remove that such person is Entered En-

The penalties inflicted untill they produce a Certificate of their being inlisted in the Other—

listed

listed and Enrolled in the company of such Captain or commanding Officer of the Division or Parish into which such Person is removed.

In case of Invasion of any Enemy Of Dangerous Insurrections—

And whereas to Repell the Invasion of any Publick Enemy and to Suppress any dangerous Insurrection or Rebellion it may be absolutely necessary to assemble and Raise part of the Militia Be it Enacted That if the Governor or Commander in Chief for the time being shall receive advice from any credible Person or Persons in his Majestys Dominions or Foreign parts or otherwise that any foreign Enemy or armed force suddenly Intend to Invade this Province or if any dangerous Insurrection or Rebellion be actually raised in this province which cannot be suppressed by one single company It shall and be Lawful for the said Governor or Commander in Chief for the time being by and with the advice and consent of the Majority then Present of his Majesty's Council to raise and assemble such and so many of the Regiments Troops or Companies as the said Governor or Commander in Chief for the time being by and with the advice aforesaid shall think sufficient to suppress and repell such Invasion Rebellion or Insurrection as may happen and for the more Effectual Execution thereof it shall and be Lawful for the said Governor or Commander in Chief for the time being by and with the advice and Consent aforesaid to make and Publish or cause to be made and Published

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an alarm throughout the province by firing Six Guns two at a time at three Minutes distance, or by Sending Orders and Expresses to the Field Officers or other Officers of the Militia to raise their several and respective regiments Troops and Companies or such part thereof as shall be ordered and directed to March and Rendesvous at such proper times and Places within this province as the said Governor or Commander in Chief for the time being shall think fit And the said Alarm shall be carried on throughout the province by all the Commissioned Officers of the Militia by fireing Three Small at Convenient Intervals from place to place and by spedily raising their several Companies and taking all proper and Effectual means to give Notice of the Motion of the Enemy and forwarding with the utmost Expidition all necessary Information to the Governor or Commander in Chief for the time being and by putting in Execution all such Orders as they shall receive from the Superior Officers.

what Duty is requisite.

AND BE IT ENACTED that an Alarm shall be made by any Commissioned Militia Officer by fireing three small arms on sight of any Enemy or on Information of any Enemy appearing or mischief done by any Enemy from any person of Credit who hath seen the same of the credibility of which the said Officer shall be Judge and every alarm shall be carried on by all persons hearing or having Knowledge of the same

How an Alarm is made—

by

by fireing three small arms distinctly and the said Officer who fired the Alarm shall raise the Company of which he is an Officer by beat of Drum or by Ordering men to warn their Neighbours till the company can be got together And also the Commanding Officer of the said Company shall with all Convenient speed dispatch two Expresses one to the Governor or Commander in Chief for the time being and the other to the next Field Officer of the Regiment to which the said Company belongs with an Account of the cause of the Alarm so made upon which Notice the said Field Officer shall have power to raise any Number of Men of the regiment he belongs to and to March to the Assistance of any of the Inhabitants who are in danger.

Penalties on persons neglecting to communicate the Alarm—

And be it Enacted that if any person by this Act liable to bear Arms shall in time of such Alarm neglect or refuse to use his utmost Means and Endeavours to Convey and Communicate the said Alarm or Notice of the Enemys approach every such person shall forfeit and pay a Sum not exceeding Five pounds, and in case any such Person after he hath Notice of an Alarm shall not forthwith repair complately Armed and Accoutered as aforesaid with all Convenient speed to the place where the regiment Troop or Company to which he shall belong shall be appointed to rendesvous every such person shall forfeit a Sum not exceeding Ten pounds and in Case the Company or Troop

And on persons not appearing when an alarm is made—

to

to which such person shall belong shall be Engaged with the Enemy before such person shall appear in the said Regiment Troop or Company in every such case the person not Appearing as aforesaid shall forfeit a sum not Exceeding Twenty Pounds.

As Several parts of the province may be exposed to pirates Indians &c.

AND WHEREAS several parts of the province are exposed to depredations from Pirates and Sea Rovers and are in danger of Incursions from Indians and are frequently infested with Fugitive Slaves whose Sudden attempts may prove fatal to many of his Majesty's Subjects before notice can be given to his Majesty's Governor or Commander in Chief for the time being therefore for the more Effectual preventing repelling and suppressing the same BE IT ENACTED that it shall and may be lawful for every commission Officer in the Militia when occasion requires to assemble any number of men belonging to their respective Companies and if need be to give notice and call to their aid the Officers and men of any adjacent companies to distress disperse and kill destroy apprehend take or subdue, any Pirate Sea Rover Indian or other Enemy who shall in a hostile manner Invade or attempt to Invade this Province or hurt any of his Majesty's Subjects and also to Suppress and apprehend any Company of Slaves met together or lurking in any suspected places where they may do mischief or shall have absented themselves from

The Duty of Commissioned Officers and Men in that respect—

the

the service of their owners and in case any Person liable to bear arms shall neglect or refuse to appear upon Notice given by any commissioned Officer of the Troop or Company to which such person shall belong or appearing shall not obey the said Officer or not being compleatly armed and Furnished every such Person for every such neglect or Refusal shall forfeit a Sum not exceeding Forty Shillings.

In time of Invasion or Insurrection—

AND BE IT ENACTED that in time of Invasion or Insurrection and when it shall be found necessary to march the several regiments Troops or Companies or any of them out of their proper Divisions or parishes one fourth part at least of every Company shall stay and remain in their respective Parishes and be formed into Patrols under the command of such Officers as the commissioned Officers of the company shall direct and appoint untill the Governor or Commander in Chief for the time being shall commission and appoint a Commander or Officer for each of such Patrols under whose Command respectively they shall Continue untill the rest of the Company shall return and be discharged from bearing arms And the Patrol so formed shall be Obliged to be on Constant Duty ride Patrol Guard the Plantations keep Guards Watches and Centinels at proper and Convenient places to give Notice of Danger or for the more speedy Conveying Intelligence to the Governor or Commander in Chief for the time being

Who are to March out of their proper Division—

And who are to remain & their Duty.

ing or any Army which shall be raised and Assembled by his Command and in case any Person or Persons staying or remaining as aforesaid in any of the parishes to which he or they shall belong shall neglect or refuse to ride Patrol Watch Stand Centinel keep Guard or do other duty hereby enjoyned or required or shall refuse to obey the Lawful Commands of any person appointed to Command such Patrol every person so Offending shall forfeit a sum not Exceeding Ten pounds.

The Method of Drawing the Names of such persons who are to March.

AND BE IT ENACTED that in all times of Invasion Rebellion or Insurrection when any Company shall receive Orders to march out of It's Division or parish the Captain or other Commanding Officer present shall cause the names of all the persons who are Entered Enlisted and Enrolled in the Muster Roll of such company (Officers Excepted) to be wrote down on small Scrols' of paper which shall be rolled or folded up and put into a Hatt and Shaken together and the Clerk or Serjeants of the said Company shall draw out of the Hatt the names of so many Persons as will not exceed three-fourth parts of the said Company and the persons whose names shall be so drawn shall be obliged to march according to such Orders as shall be given by the Governor or Commander in Chief for the time being and according to the directions of this Act And the rest whose names shall be left in the Hatt shall stay in

their

their respective divisions and Parishes and Shall do the duty of the patrol hereby directed to be formed and that no Officer of any Company shall be excused from Marching with the company for which he is appointed unless by particular Orders from the Governor or Commander in Chief for the time being in which case such Officer staying shall be Commanding Officer of that part of the Company left in It's district And that if any person whose name shall be drawn as aforesaid and who shall be thereby Obliged to march out of his Division or parish can provide an Able man to be approved of by the Majority of the Officers of the Company to which such person belongs Compleatly armed Accoutered and furnished every such person shall be permitted and at Liberty to do So and upon producing and sending out such able Man in his Stead shall be excused from going out or Marching in Person but shall be Obliged to perform Patrol Duty and be Subject to all the penalties and forfeitures inflicted by this Act on such as shall be Guilty of Disobedience or shall neglect or refuse to ride such Patrol.

In time of alarm the Officers &c. may impress provisions &c.

And be it Enacted that in time of Alarm made upon any Insurrection Rebellion or Invasion all Field Officers and Captains be and they are hereby empowered by themselves or their Warrant to any Inferior Officer or private man to Impress any provisions Horses

Boats

Boats Canoes Pettiauguas and Vessells with their Furniture or whatever other things they shall have need of for the service of this Province Provided Always that the same be first appraised by three or more indifferent Freeholders supposed to have Judgment in the respective things so Impressed, and the said Officer shall give a receipt for the same to the owner thereof if he Conveniently can and cause the Clerk or Clerks to enter the same in a Book to be kept for that purpose and the said Appraisers shall appraise and ascertain any Loss or Damage that shall befall the said Effects so Impressed or allow a Competent hire for the same when returned to the said Owners as the case shall require and the same shall be given under the Hands of the Appraisers to the Owner or Owners thereof directed to the Public Treasurer who shall pay the same out of any Funds in his Hands unappropriated upon an Order of the Governor or Commander in Chief for the time being by and with the advice and Consent of his Majesty's Honorable Council the same to be afterwards replaced in such manner as the General Assembly shall think proper And Also that the Commanding Officer of such Company after such Alarm shall be over and before his Company shall be discharged shall order so many Men as he shall think fit to carry such Horses Canoes Boats Pettiaguas and Vessels or what other things they shall have Impressed to the respective owners from whom they were taken

how much shall be appraised.

And how paid for—

taken the owners giving their receipts upon redelivery of the same and the said Commanding Officer is hereby empowered to draw an Order or Orders on the said Treasurer payable to the Persons aforesaid for so much Money as he shall think the said Persons for carrying home any of the Things herein before mentioned deserve to be paid as aforesaid.

Justices of the peace to Issue Warrants to Constables to make provision for Carriages provisions arms &c and men to drive such

AND BE IT ENACTED that in case of actual Invasion or upon imminent danger thereof or in case of Rebellion as aforesaid it shall and may be Lawful for any Justice of the peace being thereunto required by an Order from the Governor or Commander in Chief for the time being or he not being present from the Colonel or other Chief Commissioned Officer of any regiment Company or Detachment of Militia to Issue a Warrant to the Constables of the respective Divisions or Districts from near or to which any regiment or Company of Militia or any Detachment or Troop thereof, shall be Ordered to March requiring such Constables to make such provision for Carriages of Provisions Arms Ammunition Cloaths and Accoutrements or other Warlike Materials with able Men to drive such carriages as may be mentioned in the said Order and such Colonel or Commanding Officer that shall demand such carriages of such Constable is hereby required at the same time to give to the Owner or Owners of such carriage a Certificate of the same

being

being taken into the Publick Service and the number of days they do Continue therein shall be certified by the Officer returning the same and the Owners thereof shall be entituled unto and receive from the Publick at the rate of Three Shillings each day for every Waggon and Tackling or Harness for four Horses and for every Cart and Tackling or Harness for four Horses Two Shillings for every Horse one shilling and for every Yoke of Oxen one shilling and Six pence and for every able Bodied Man employed to drive such Carriages Two Shillings and all Carriages Horses and Oxen so provided shall when taken into Service be appraised and valued in the manner herein before directed and if any Loss or Damage shall happen the same shall be ascertained in the same method as is herein before directed for Impressed Boats Canoes and Pettiaguas and other vessels and the necessary Provisions for every Horse and Ox so impressed shall be provided at the expence of the Publick.

And how they are to be appraised and paid for.

AND BE IT ENACTED that the Commanding Officer of each company shall lodge in some convenient and Secure place for the Publick use all the provisions and Amunition impressed by him or them or by virtue of his or their Warrant and that shall remain unexpended after an alarm and that he shall take a particular account thereof and transmit the same to the Publick Commissary within fourteen days after such

The Duty of the Commanding Officer with respect to the Lodging the provisions and ammunition impressed &c.

such alarm is over and the said Commissary is hereby required to lay such Accounts before the Governor or Commander in Chief for the time being who is hereby authorised and empowered by and with the advice and consent of his Majesty's Council to Order such remaining stores to be sold and the monies arising therefrom to be paid into the Treasury to be disposed of as the General Assembly shall direct.

Officers or others offending against this Act for which no penalty is inflicted shall forfeit.

AND BE IT ENACTED that if any Officer of Militia or other person shall knowingly or wilfully in Time of rebellion Insurrection or Invasion offend against this Act for which no particular penalty is herein inflicted every person so offending shall forfeit and pay the several penalties and forfeitures following that is to say if the person so offending be a commissioned Officer of the Militia above the Degree of a Captain the several persons hereby empowered to hear and determine offences committed against this Act shall and may and they are hereby authorized and empowered to inflict on such person a pecuniary Fine not exceeding the Sum of Fifty pounds and in case the person offending shall be a Captain or any Inferior Commissioned Officer under the degree of a Captain in the Militia a sum not Exceeding Thirty pounds. And if any non Commissioned Officer of the respective Troops or Companies or any Private person that is obliged to bear Arms shall offend

The forfeitures

as

as aforesaid a Sum not exceeding Ten pounds but if the person so offending shall be an Indented Servant and shall have no goods to be Levied on or shall neglect or refuse to pay the fine which shall be inflicted as aforesaid for the space of Ten days he shall receive Corporal Punishment not exceeding Forty lashes with a Whip or Switch on the bare back.

The Captains to appoint Serjeants.

AND BE IT ENACTED that the Captain of each Company shall have power to appoint any two Persons belonging to their respective Companies who are obliged to appear at Common Musters to be Serjeants of the said Companies who shall be Obliged to Act and continue as such for the Term of one year And if any person after he shall be appointed shall neglect or refuse to perform his duty as Sergeant the Person Offending in either case shall for every Offence forfeit the sum of Forty Shillings to be recovered as other fines in this Act are directed Provided Always that no person shall be subject to serve in the said Office more than once in Seven years.

How Offences against this Act shall be heard & Determined.

AND BE IT ENACTED That all offences against this shall be heard and determined in manner following That is to Say all Offences Committed by any Field Officer shall be heard and determined by the Governor or Commander in Chief for the time being and the Majority of his Majesty's Honorable Council then residing in the Province and in case the said Governor or Commander

Commander in Chief shall refuse to sit at such hearing then by the Majority of his Majesty's Honorable Council residing in the province to be summoned by Warrant from the Governor or Commander in Chief for the time being And all Offences committed by any Captain or inferior Commissioned Officer shall be heard and determined by Warrant from the Governor or Commander in Chief for the time being directed to Two Field Officers who shall Convene at Least five other Commissioned Officers to be joined with them for that purpose and all Offences Committed by any non Commissioned Officer or Private person shall be heard and determined by the Commissioned Officers of the Troop or Company to which such person shall belong at any such time or times place or places as the said Officers shall think fit to Assemble and meet Together and the Governor or Commander in Chief for the time being Council or Officers shall proceed against such Offender or Offenders so summoned in the most expiditious and Summary way without observing formalities of Law only examining into the Truth of the case by Witnesses upon Oath which Oath the Senior Member of the Council or the Commanding Officer present as the case may be are hereby respectively authorized to administer and such other Evidence as can be Spedely had and upon Conviction of any Offender the Governor or Commander in Chief for the time being his Majesty's Council or Officers respectively

tively as the case may be are fully authorised and empowered to levy the penalties inflicted by Warrant of distress and Sale of the Offenders Goods returning the overplus if any there be.

The Method of summoning Defaulters.

AND WHEREAS it may be found difficult personally to summon Defaulters Be it therefore Enacted that the Serjeants of the Several Companies shall give ten days Notice at least to all such Defaulters by advertising in Writing in the most Publick places within the Division of the Company to which such Defaulter shall belong the same shall be deemed to all intents and purposes equal to personal service which advertisement shall be to the following Effect viz^{t}: you are hereby Summoned to be and appear before the Commissioned Officers of the Company in which you are Enrolled commanded by on next at the House of to shew cause if any you have why you should not be fined of this fail not at your peril dated at the day of A. B. Serjeant and for Want of such distress then the person presiding at either Board as the case may be shall by Warrant under his Hand and Seal Committ the party Offending to the nearest Common Goal which Warrant shall be in the form herein after directed.

AND BE IT FURTHER ENACTED that every Warrant Issued for the levying of any fine or where no

no distress can be made, for the Imprisonment of any delinquent under this Act by any Person Presiding at any such Council Board or by any Commissioned Officer or Officers as the case may be and which they are hereby respectively Impowered to Issue shall be in the form and to the Effect following—Whereas a Person enlisted and liable to bear arms in the said Company is by duly adjudged and he the said has forfeited for the Offence aforesaid the sum of which Sum the said has neglected to pay by the space of Ten days next after the adjudication These are therefore in his Majestys name to charge and Command you and each of you forthwith to Levy and cause to be made of the Goods and Chattels of the said the sum of and the same Goods and Chattels you shall expose to Sale and sell at Publick Outcry first giving Ten days notice of such sale and out of the Monies therefrom arising you are first to deduct and keep the said sum of and all reasonable Charges and Expences and the overplus if any there be you shall return or tender to the said and if no Goods or Chattels can be found whereon to Levy the said sum of then and in such case you are hereby Commanded to take the Body of the said and him Safely convey to the nearest Goal and deliver him to the keeper thereof Commanding you

The Warrant of Distress.

you the said keeper to receive the Body of the said and detain him in your Custody untill he shall pay and discharge the Fine aforesaid together with all Costs and Charges attending the execution hereof and the Charges of detaining in Custody or untill he shall otherwise be Legally discharged hereof fail not and this shall be your Sufficient Warrant and in case the person against whom such Warrant shall be Granted shall be refractory and refuse to give obedience thereunto the Constables or Serjeants aforesaid or other person or persons to whom such Warrant shall be directed are hereby required and empowered to apprehend and Convey such Offender to the nearest common Goal and the Expences attending the Execution of the said Warrant shall be ascertained by any two Justices of the peace agreeable to the Act entitled An Act for the more easy and speedy recovery of small Debts and Damages and the said Justices are hereby required to do the same without Fee or reward and in case the same be not discharged within ten days then the offender to be Committed to Goal for a Term not exceeding Fourteen days.

Marshals or Serjeants refusing to Act to forfeit forty shillings.

AND BE IT ENACTED that in case any person who shall be nominated and appointed Marshal or Serjeant of a Company after Notice of such Nomination or Appointment shall refuse or neglect to execute any Warrant or precept Issued in pursuance of the direction of this Act

And

and to him or them directed for the space of twenty days after the receipt thereof the said Marshal or Serjeant shall respectively forfeit for each Offence the sum of Forty Shillings.

Constables or other officers refusing to Execute a Warrt. to forfeit £20

And be it further Enacted that if any such Constable or other Officer appointed shall wilfully neglect or refuse to execute any such Warrant of any Justice of the peace every such Offender shall forfeit a sum not exceeding Twenty pounds Sterling and every such Offence may be heard and determined by any Two Justices of the peace within the parish where such Offence shall be Committed which Justices shall by Warrant under their hands and Seals cause the said Penalty to be Levied by distress and Sale of the Offender's Goods and Chattels rendering the Overplus if any on demand after deducting the Charges of such distress and sale to such Offender upon whom such distress shall have been made as aforesaid.

how Levied

Persons Settling where the division is not ascertain'd shall enlist in the Company of the Parish nearest his residence.

And be it Enacted that in case any Male Person who has been in this Province for the space of three months shall Settle himself and reside in any part of this province where the bounds or division of the Parish are not certainly known and ascertained every such Person shall be Enlisted and Enrolled in the Company of that parish or division which is nearest to the residence or habitation of such person and such person shall be deemed and adjudged

as

as belonging to such nearest Company to all Intents and purposes whatsoever.

AND WHEREAS it has been found by Experience that several Negroes and other Slaves have in time of War behaved themselves with great faithfulness and Courage in repelling the Attacks of his Majesty's Enemies in their descents on other Provinces and have thereby demonstrated that trust and Confidence may in some instances be reposed in them And Whereas it is necessary that the Male Slaves in this Province should be rendered as serviceable as possible in time of War or Invasion of a foreign Enemy for the better Effecting whereof Be it further Enacted that every Master Mistress owner Manager Attorney or Trustee of or for any Slaves in this Province shall within Six Months next after the passing of this Act return to the Commanding Officer of the respective Companies of Militia in whose beat or precinct such slaves do live and reside or are Commonly used or Employed a true and faithful list in Writing of all the Male Slaves of such persons who are under their care and Management from the Age of Sixteen to Sixty years as they can Recommend as Capable and faithful Slaves.

Masters &c. of Slaves to return a list of his faithfull Male Slaves to the Captain of the Company in whose Beat they are.

AND BE IT ENACTED that the Governor or Commander in Chief for the time being be and is hereby authorized and empowered to direct and order the several Captains of the Companies

The Governor may give Directions to the Captains to Enlist such Slaves—

ies of Militia from time to time to Enlist in their respective Companies such and so many of the said Male Slaves so to be returned to them as aforesaid which shall be recommended to such Captain by the respective Owners or Managers of such Slaves to be most faithful and fit for service as the said Governor or Commander in Chief for the time being by and with the advice of his Majesty's Council in their discretion think necessary for the service and defence of this province Provided Always that the said Number of Slaves so to be Enlisted in the several Companies do not exceed one third part of the White Men in each respective Company.

Not to exceed one Third of the White Men.

And be it Enacted that the said Slaves so to be Enlisted shall be incorporated into the respective Companies into which they are enlisted and shall be taken as part thereof and shall in time of General Alarm and Actual Invasion of this Province and not otherwise be armed by the respective Owners or Managers of such Slaves with one Sufficient Gun One Hatchet powder Horn and shot pouch With Ammunition of Powder and Bullets for twelve rounds and Six Spare Flints and shall be sent by their respective owners and Managers to the place of rendesvous of the respective Companies in which they are Enlisted and which Said Slaves shall be then and there Commanded and directed by the Commanding Officer of the

How such shall be incorporated and Arm'd.

Company

Company during all such times as the said Company shall be upon Actual Duty or continue under Arms and in stead of a pecuniary fineing such Slaves for breach or neglect of Duty shall be subject to such Corporal punishment for their Offences during such time as the Majority of the Commissioned Officers of their respective Companies shall think fit to inflict not extending to Loss of Life or Member.

The owners of Such Slaves to be paid at certain rates if safely returned.

AND BE IT ENACTED that the several Owners of the said Slaves so to be Enlisted shall be paid by the Treasurer for the time such Slaves shall be in the Publick Service after the rate of one Shilling each day for such Slave and in case it shall so happen that any Slave so enlisted shall be killed in the service of this Province the owner of such Slave shall be paid the value of such Slave by the Treasurer and in case any Slave in the service aforesaid shall be only Maimed and disabled the Owner shall likewise be paid as aforesaid the Value of his Loss sustained thereby and the same shall be ascertained by any three freeholders one to be named by the Commanding Officer of the Company in which such Slave is Enlisted One to be named by the Owner or Manager of such Slave and one by the Joint Nomination of the Two first Freeholders and the Value thereof Certified under their Hands shall be determinate and Conclusive between the Publick and the respective Owners.

if Killed

if Maimed

how ascertained

And

And be it Enacted that every Freeman or White Servant who shall boldly and Cheerfully oppose the Common Enemy and shall in fight happen to be maimed or disabled from Labour every such freeman and white servant upon Obtaining a Certificate thereof from the Majority of the Field Officers of the regiment or Troop to which such person belongs under their hands and Seals shall be from thenceforth entitled unto and shall yearly and every year receive from the Treasurer the sum of Twelve pounds but if such Freeman so maimed shall be a Married Man then he shall be Entitled unto and receive of the Treasurer during his residence in this province the sum of Twenty pounds yearly and if it shall so happen that any poor free man that is a married Man or hath any child or Children under the Age of Twelve years shall loose his Life in the Service aforesaid that then the Widow of such poor Freeman shall thenceforth during her Widowhood and residence in this province or Children of such poor freeman where there is no Widow under the Age aforesaid untill they attain the said age shall be entitled unto and receive of the Treasurer the sum of Twelve pounds yearly and the said Field Officers and any two Captains in the regiment to which such person belongs associating themselves together and certifying the same under their hands are hereby declared to be proper Judges of the poverty or Indigence of every person so maimed disabled

White Servants Chearfully opposing the Enemy if Maimed.

shall receive £20 ₱ annum.

rewards to poor Whitemen & Widows Children & Negroes

disabled or killed so as to entitle them or their Widows and children respectively to the respective Bounties and allowances and every white Servant in the said Companies and also every Negro and other Slave so enlisted as aforesaid who shall actually engage the Enemy in Time of War Insurrection or Invasion and shall courageously behave himself in Battle so as to kill any one of the Enemy or take a Prisoner alive or shall take any of their colours every such white servant and Slave shall upon due proof thereof either by a Certificate of a Field Officer or Captain of any Company under his Hand who shall happen personally to see the Action or shall be informed thereof by the Oath of Two Credible White persons shall be and he is hereby declared to be from thenceforth Free and absolutely discharged from all Servitude or Slavery whatever and the Owner or Owners of such White Servants and Slaves so declared to be free shall be satisfied to the full Vallue of such White Servant or Slave by the Treasurer such value to be ascertained in the Manner herein before directed for Slaves killed in the service. But in case such enlisted Slaves manfully behave themselves in fight with the Enemy but shall not have such Success as to kill or take any enemy or any of their colours but shall yet remarkably behave him or themselves in the Engagement so as to deserve Publick Notice every such Slave upon obtaining a Certificate thereof under the hand of any Field Officer who

shall

shall Certify such action either from his Own personal knowledge or upon the Oath of any one Credible White person shall be entitled to and Receive from the Treasurer Yearly and every year a livery Coat and pair of Breeches made of Good red Cloth turned up with Blue and a hat a pair of Stockings a Shirt and a pair of Shoes and shall that day in every year during their lives on which such Action shall have been performed be freed and exempted from all personal Service and labour to the Owners or Managers.

That the Clauses of this Act relating to such rewards to be publickly read—

And be it Enacted that the Clauses of this Act relating to such Encouragement together with this Clause shall be Publickly read at the head of every Company on the next Muster day of the respective Companies after the passing of this Act and every Commanding Officer who shall neglect to Publish the same as aforesaid shall forfeit and pay the sum of Forty Shillings to be recovered by a Justice of the peace of the respective district where such Omission shall be made by Warrant under his Hand and Seal and such forfeitures shall be applyed to the use of the Company where such Omission is made for purchasing Drums Colours and other military Implements for the said Company.

Owners &c. neglecting to make out a list of their Male Slaves shall forfeit 40/ & if such are inlisted

And be it Enacted that every Owner Manager Attorney or Trustee of or for any Slave or Slaves as aforesaid who shall refuse or Neglect

and the Owner &c refusing to send them shall forfeit £10.

lect to make out or give in a List of their Male Slaves as herein before is directed every such Owner or Manager shall for every refusal and Neglect Forfeit and pay a Sum not exceeding Forty Shillings and every such Owner or Manager residing where such Slaves are employed who shall refuse or neglect to bring or send his said Slaves that shall be enlisted in the Militia as aforesaid at all times of alarm or Invasion to the place of rendesvous of the respective Companies in which such Slaves shall be Enlisted after such Owner or Manager hath had notice of such Slaves being Enlisted in the said Company from the Captains of such Companies every such Owner or Manager shall respectively for every such refusal or Neglect for every such Slave so Enlisted forfeit and pay the Sum of Ten pounds which said Forfeiture shall be recovered by a Warrant under the Hands of the Majority of the Field Officers of the regiment to which such persons belong and be paid and applied to such uses as the General Assembly shall direct.

Persons sued &c for any matter may plead the General Issue &c.

AND BE IT ENACTED that if any Person or Persons whatsoever shall be sued Impleaded Molested or Prosecuted for any Matter cause or thing whatsoever done or executed or caused to be done and executed by virtue of or in pursuance of this Act and all and every person and persons who shall or may by the Command or in aid or Assistance of any person who shall

do

do or execute or cause to be done or executed any Act Matter or Thing by Virtue of or in pursuance of this Act shall and may plead the General Issue and give this Act and the Special Matter in Evidence and in case the plaintiff or prosecutor shall suffer a discontinuance Enter a Noli Prosequi suffer a Non Suit or if a Verdict shall pass against him he shall pay to every defendant that shall be acquitted or for whom Judgment shall pass his full Double Costs of Suit for which any Court in this province where such prosecution shall be brought is hereby fully Authorized and empowered to give Judgment and award Execution accordingly . . . .

And to the Intent that no person may Plea Ignorance with regard to the Duties Contained in this Act and the penalties incurred for non-Compliance or disobedience thereto Be it Enacted that the Several Superior Officers in each Regiment Troop or Company shall at least once a year read or cause to be read at the head of his regiment Troop or Company by the Serjeant or other Inferior Officer a List of fines for non Performance of Duty and cause the same by Advertisement to be at that time fixed in some Publick place at or near the Muster Field or on the High Road that shall be nearest the same on failure of which Publication and notice aforesaid the said Superior Officer shall pay to the Treasurer a Sum not exceeding Forty Shillings. And

Superior Officers in Regiments Troops & Companies are to read a list of the fines once a year at the head of their Regiments &c.

The Officers of the Regiments to fix the District of each Company.

AND BE IT ENACTED that it shall and may be Lawful to and for the Officers of every Regiment or a Majority of them and they are hereby Empowered to fix and ascertain the Districts or bounds of every Company in their respective regiments as may appear to them most Convenient and proper.

To continue three years.

AND BE IT ENACTED that this Act shall be and Continue in force for and during the Term of Three Years and from thence to the end of the next Sessions of the General Assembly and no longer.

By order of the Commons House of Assembly

WILL^{M}. YOUNG Speaker

Council Chamber
29th September 1773.
Assented to

By order of the
Upper House of
Assembly

JA: WRIGHT.

JAMES HABERSHAM, President.

State

To Prevent Damages from Dams or Banks.

(State Archives.)

AN ACT

To prevent Damages arising from Dams or Banks and for preventing persons from stoping the natural Course or Courses of Water to the Injury of their Neighbors. Title

WHEREAS it hath become a practise for persons to make Dams or Banks for the reserving or Stoping of Water and at unseasonable times to let off the Water so Stopped or reserved to the manifest Injury of their neighbors, To prevent therefore such Injuries for the future We humbly pray His most Sacred Majesty that it may be Enacted And be it Enacted by His Excellency Sir James Wright Baronet Captain General and Governor in Chief of His Majestys Province of Georgia by and with the advice and Consent of the Honorable the Council and Commons house of assembly of the said province in General Assembly met, and by the Authority of the same, That from and after the passing of this Act no Person or persons whomsoever shall be permitted or allowed to make or keep up any Dams or Banks to Stop the natural Course of any water or Waters so as to overflow the lands of any other person or persons without the Consent of such person or persons being first had and obtained nor shall any person or persons whomsoever stop or prevent any Water or Waters from runing off any person or persons

Preamble

Enacted

That no person be permitted to keep up dams

so as to overflow the Lands of others

sons Field whereby such person or persons may be prevented from planting in Season or receive any other injury whatsoever nor so as to turn the natural Course of any water or waters from one Channel or swamp to another to the prejudice of any neighbour or neighbours or any other person or persons whomsoever.

who are Judges of the Injury

AND BE IT FURTHER ENACTED that in case any person or persons shall make or keep up any such Dams or Banks to the injury of any Other person or persons by overflowing their Lands as aforesaid, upon Complaint made thereof by the party injured to any Justice of the Peace for the district where the offence shall be committed such Justice shall be and he is hereby fully Impowered, Authorized and required to summon five freeholders of the said district one of whom shall be named by the said Justice and two by each of the Parties and such freeholders being first sworn before such Justice to determine the matter justly and impartially shall forthwith proceed to view the said banks and Dams and the Damage complained off and immediately certify the matter as they shall find it under their hands to the said Justice, and in case an award shall be given in favor of the Complainant, the said Justice shall immediately make an Order to cut open the bank or

and the remedy

Dam in such manner as to prevent any further Damage the expence whereof and all other Charges attending the Prosecution to be paid by the offender And

To Prevent Damages from Dams or Banks.

And be it further Enacted that in case any damage shall have been already sustained by the Complainant either by such Dams or Banks being kept up by letting off any reserved waters the said Freeholders shall upon view thereof ascertain and certify the same under their hands, to the said Justice which Damages so ascertained the offender shall immediately pay and satisfy to the party grieved and in case of neglect or refusal so to do in Ten days the said Damages if it does not exceed the sum of Eight pounds shall and may be recovered in the same way as debt and damages are directed to be recovered and levied by the act intitled, an act for more easy and speedy recovery of small debts and damages, And in case of the said Freeholders shall be of Opinion that such damages do exceed the sum of Eight pounds then such damages shall and may be recovered in any Court of record in this province in the usual manner Provided always that nothing in this Act shall extend or be construed to subject any person or persons who shall have made or cause to be made or shall make or Cause to be made any banks or dams to reserve or stop water to pay any damages which may be sustained by breaking of the said dams or Banks when occasioned by violent Rains or Floods or when there may be an absolute necessity for cutting the said Dams or Banks to prevent the breaking of the same, and in case any freeholder shall neglect or refuse to Obey the summons

if Damages have been already sustained

how such are to be recovered

mons of the Justice or any other matter herein directed such Freeholder shall (unless he can make a reasonable Excuse) forfeit a sum not exceeding five pounds nor less than forty Shillings to be sued for and recovered by the act intitled An Act for the More easy and speedy recovery of Small debts and Damages and to be applied the one half to the informer and the Other half to his Majesty to be paid into the hands of the Treasurer for such use and purposes as the general assembly shall think proper

allowance to Freeholders for their trouble

AND BE IT FURTHER ENACTED that the freeholders shall each be allowed for their Trouble and attendance herein the sum of Five shillings for each Days Attendance on the same to be paid by the party or Parties offending.

persons sued by this act

AND BE IT FURTHER ENACTED that in case any person or persons whomsoever shall be sued or Impleaded for any matter or thing committed or done in pursuance of the Directions of this Act, it shall and may be Lawful for such person or persons to plead the general Issue and

may plead the General Issue

give this act and the special Matter in Evidence and in case the Plaintiff shall become nonsuit, suffer a discontinuance or a Verdict shall pass against him the defendant shall be allowed double Costs.

AND BE IT FURTHER ENACTED that this Act

shall

shall Continue and be in force for the term of three years and from thence to the end of the term of three years and from thence to the end of the then next Session of the General Assembly and no longer to continue in force three years

By Order of the Commons House of Assembly

WILLM. YOUNG Speaker

Council Chamber
29 September 1773
Assented to
JA WRIGHT

By Order of the Upper House of Assembly
JAMES HABERSHAM
President

(State Archives.)

AN ACT

To empower the Commissioners therein named to lease to the thirty first of December next, and then to put up to sale for the benefit of the Publick the Ferry over Great Ogechee River for a term of years, and to Authorize the said Commissioners to inspect and regulate the said Ferry Title

WHEREAS by an Act of this Province passed the Eleventh day of April One Thousand seven hundred and Sixty Eight entitled An Act to empower the Commissioners therein Named to put Preamble

up

up to Sale for the benefit of the Publick the ferry over great Ogechee river at a place called Pine Bluff for a term of five years and to Authorize the said Commissioners to inspect, and regulate the said ferry, Commissioners were empowered to sell for the term of five years the ferry over Great Ogechee River

Enacted

AND WHEREAS the said term is now Expired We Therefore pray your most Sacred Majesty that it may be Enacted, And be it Enacted by His Excellency Sir James Wright Baronet Captain General and Governor in Chief of His Majestys Province of Georgia by and with the Advice and Consent of the Honorable Council and Commons House of Assembly of the said Province in General assembly met, and by the authority of the same That the Commissioners herein after named be and they are hereby Authorized to let the ferry over great Ogechee River from the Expiration of the late Lease to the thirty first of December next, and immediately afterwards to put up to Publick Sale and to sell the said Ferry and the rents issues profits produce and Ferriage of the same to the best bidder for the term of five years to Commence from the day of the sale thereof the Purchaser or purchasers thereof to pay to the said Commissioners the Purchase money arising from such sale in five equal yearly Payments the first payment to be made at the Expiration of One year from the day of

That the Commissioners named let the ferry over Great Ogechee to 31 Decr

and afterwards

for five years

such

To Lease Ferry Over Great Ogechee River.

such Sale upon giving such security for the due payment thereof as shall be approved of by the said Commissioners and the said Ferry and the One hundred Acres of Land reserved for the use thereof at Pine Bluff aforesaid together with the Rents Issues profits produce and Ferriage thereof or arising from the same and all and Singular the Buildings and Improvements thereon is and are hereby declared to be vested in such person or persons who shall rent or may become purchasers thereof as aforesaid his her or their Executors or Administrators for and during the term of five years as aforesaid Subject nevertheless to the several regulations herein after mentioned and the monies arising from the rent as aforesaid and Sale thereof to be by the Commissioners paid to the Treasurer and applied as the general assembly shall hereafter direct

AND BE IT ENACTED that the person or persons to whom the said ferry shall be leased to the thirty first of December next and also the person or persons afterwards purchasing the said Ferry and premises his her or their Executors or administrators shall provide and keep at the said ferry for and during the said Lease and the term of five years as aforesaid a good and Sufficient Ferry Boat not less than Nine feet wide and Twenty feet long and a good Cannoe and two or more able men for the purpose of Transporting all passengers their Carriages, Servants

the person leasing the sd Ferry to keep

a ferry Boat

a Canoe and two or more able men

Servants, horses, and Cattle and Such person or persons so renting or purchasing his her or their Executors or Administrators shall and may lawfully demand take and receive of and from all and every person or persons passing and repassing at the said Ferry the several and respective rates and prices herein after mentioned, That is to say

Rates of ferryage

For a foot passenger Twopence

For a Single Horse Threepence

For a man & Horse Sixpence

For Neat Cattle Threepence if Swam One penny half penny per head

p^r Head

Calves Hogs & Sheep One penny if swam one half penny

For every Wheel Carriage three pence p^r Wheel

All which rates and prices shall be paid and received from all persons at all times except in times of Actual Service upon Alarms, Insurrections or Invasions when the Ferriage shall be free, and also except his Majesty's Troops upon duty, Ministers of the Gospel and Students in Divinity of Bethesda and in case of failure of payment of the above rates and Sums (except as before excepted) the same shall be recovered according to the method prescribed in and by An Act of the General Assembly of this province Entitled an Act for the more easy and Speedy recovery of small debts and Damages

Persons Exempted from paying ferriage

And

To Lease Ferry Over Great Ogechee River.

And be it further Enacted that the person or persons so renting or purchasing the ferry and premises as aforesaid, his her or their Executors or Administrators shall keep in good and Sufficient repair the several Buildings improvements & fences in and upon the said One hundred Acres of Land reserved for the Ferry as aforesaid during the said Terms, and it shall not be Lawful for him her or them to clear or Cause to be Cleared during the said lease to the thirty first of December next or term of Five years more than fifty Acres of the said Land including the quantity already Cleared and that he she or they shall and will also keep in good and sufficient Order and repair the several Boats to be employed at the said Ferry by Virtue of this Act and also the Landings on each side the River Ogechee under the Penalty of Ten Shillings for every day such Boats or any of them or the said Landings or either of them shall be out of repair to be recovered upon full And Sufficient proof made of Such Default before the Commissioners herein after named or any three of them by warrant of distress and Sale under their hands and Seals which penalty shall be to his Majesty and to be applied towards the repairs of the Several Buildings belonging to the said Ferry

the persons renting the ferry

to keep in repair the Buildings &c

and not to Clear more than fifty Acres of the Land &c

under a penalty

And be it further Enacted that the person or persons so renting or purchasing the Ferry and premises as aforesaid his her or their Executors

Conditions on which the ferry is rented

ecutors or Administrators and any and Every person appointed by them and having the care and management of the said Ferry shall as well by night as by day give Constant and due Attendance and if any person or persons shall be detained or delayed at the Ferry thro' the neglect or wilful default of the person or persons so renting or purchasing or appointed to and having the care and Management thereof the person or persons so Renting or purchasing as aforesaid his her or their Executors or Administrators Shall forfeit and pay to such person or persons the sum of Ten shillings for every Hour, he she or they shall be so delayed, and in proportion for any less time to be recovered by Warrant under the hand and Seal of any one Justice of the Peace upon full proof of such neglect being made before him, And the proceeding thereon to be as directed in and by the before recited Act

Persons who are not to pay Ferriage

AND BE IT FURTHER ENACTED that no deputy or Agent of the post Master General travelling with any mail of letters nor any person sent as Express in the service of this province shall pay any thing for passing or repassing the said Ferry, but the person or persons attending the said Ferry shall forthwith and within one half hour after such Deputy or agent or person sent Express (satisfying the ferry man that they are so) shall require the same (bad weather and Other unavoidable Accidents Excepted) con-

and who are not to be detained

vey

vey such deputy or Agent or person sent Express over the said Ferry on pain of forfeiting five pounds sterling and in case such deputy or Agent or person sent Express as aforesaid shall be detained at the Ferry the space of twelve hours, then and in Such case the person or persons so renting or purchasing the said Ferry and premisses their Executors and Administrators shall over and above the said sum of five pounds forfeit and pay the sum of Ten shillings for every hour after the said Space of twelve hours they shall be so delayed the said penalties and forfeitures to be recovered in any Court of record in this province One moiety thereof to be to his Majesty his heirs and Successors toward the support of the Government of this province and the Other moieth to such deputy or Agent or person sent Express who shall sue and prosecute for the same together with Costs of Suit

Penalty if detained &c

AND BE IT FURTHER ENACTED that the Honorable James Habersham James McKay and James Read Esquires, William Le Conte Henry Bourquin, John M°Lean, James Maxwell and James Butler Esquires (Son of Joseph Butler Esquire) be and they are hereby appointed Commissioners for putting this Act into Execution and they or any two of them are hereby authorized and empowered from time to time to inspect the state of the said Ferry and the buildings and improvements thereto belonging and

Commissioners named

their Duty

and the Boats and persons by this Act Directed to be employed therein and of the landings on each side of the river Ogechee used for the said ferry and in case of any neglect or default therein contrary to the intent and meaning of this Act to give notice thereof to the person or persons so renting or Purchasing the said ferry and premises his her or their Executors or Administrators and in case such Neglect or default be not remedied forthwith to proceed according to the directions of this Act and further to settle and account with the person or persons now holding, or who has or have held the said Ferry since the passing of the Act before recited.

Commissioners to name Others in the room of those dieing &c

AND BE IT ENACTED that if any Commissioner in and by this Act Nominated and appointed shall die depart the province or decline to accept of the said office or after accepting the same shall refuse to Act therein the Commissioners Shall appoint another Commissioner in the room of him so dying departing the province, declining, refusing or neglecting to act as aforesaid unless when a majority of Such Commissioners shall at any One time be dead depart the Province, Neglect, decline or refuse to act as aforesaid in which case upon application of the remaining Commissioners or upon knowledge thereof the Governor or Commander in Chief for the time being with the advice and Consent of his Majestys Council is hereby em-

powered

powered to nominate and appoint Commissioners in the room of those dead departing the Province, declining, neglecting or refusing to Act as aforesaid which said Several Commissioners so nominated and appointed as aforesaid are hereby declared to be Vested with the several Powers and Authorities and liable to the same fine and penalties as those in and by this Act Nominated and appointed

By Order of the Commons house of Assembly

WILL^{M}. YOUNG Speaker

By Order of the Upper house of Assembly

JAMES HABERSHAM President

Council Chamber
29 September 1773
Assented to

JA WRIGHT

(State Archives.)

AN ACT

To prevent the Stealing of Horses and Neat Cattle and Unlawfully branding Marking Killing or driving the Same Title.

Whereas

To Prevent Stealing Horses and Neat Cattle.

Preamble

WHEREAS the Law now in force for preventing the Stealing of Horses and neat Cattle and the unlawfully Branding Marking or Killing the same which Subjects the Offender to Death for the first Offence has not answered the purpose thereby Intended, and very few Offenders against the same have been Convicted through the Tenderness of Prosecutors and Witnesses We therefore pray your most Sacred Majesty that it may be Enacted

Enacted

AND BE IT ENACTED by His Excellency Sir James Wright Baronet Captain General and Governor in Chief of the province of Georgia by and with the Advice and Consent of the Honorable Council and Commons House of Assembly of the said province in General Assembly met and by the Authority of the same that Immediately from and after the passing of this Act every person or persons taking or Stealing any Horse Mare Gelding Colt, Filly or Neat Cattle, and all Accessaries as well before as after such Offences Committed, and who shall be legally and duly Convicted thereof shall for the first Offence be set in the Pillory a Space not exceeding Four Hours nor less than two Hours in some publick place by the provost Marshal or his Ministers and Suffer Such Imprisonment as the Court shall think proper and before discharged be publickly Whipped on his bare Back three several times and receive at each time Thirty nine lashes and also shall be branded

Punishment on persons Stealing Horses &c for the first Offence & for the second Offence

on

on the Shoulder with the Letter R and for the second Offence upon due Conviction thereof Shall be adjudged Guilty of Felony without benefit of Clergy

That upon the sale or Exchange of Horses &c the same be Tolled if required by the purchaser

And be it further Enacted that immediately from and after the passing of this Act upon the Sale or Exchange of any Horse, Mare, Gelding, Colt, Filly, or neat Cattle the person or persons so selling or Exchanging the same if required by the purchaser shall be avouched and tolled and a Certificate thereof obtained from the Toll Master, Except however Publick Sales of Horses or neat Cattle by Executors or Administrators belonging to the Estate of the Estate of persons deceased for which he she or they may Act in such Capacity and except also Sales by the Provost Marshal or his Deputies, Constables or other persons Empowered by any Act of the General Assembly of this Province to make distress and Levy Execution

Justices of Peace appointed Toll Masters

And be it further Enacted that the Justices Assigned to keep the peace in the Several parishes in this Province shall be and they are hereby appointed to be Toll Masters in their Respective Parishes and are hereby declared to have full Authority to exercise all and every the Powers in them Vested as Toll Masters by Virtue of this Act

And be it further Enacted that the Toll Masters hereby appointed shall Administer Oaths

who are to Administer Oaths touching the property of the person so Tolling &c

Oaths to the persons avouching or Tolling before them respectively touching the Proof of the property of the person so tolling (of Sufficiency of which proof such Toll Masters are hereby Declared to be Judges) and upon such proof appearing they are hereby required and directed to avouch or Toll any Horse, Mare, Gelding, Colt Filly or Neat Cattle produced to them or either of them in a Book to be kept for that purpose shall enter the time of sale and the name and place of Dwelling of every Seller and Buyer of such Horse, Mare, Gelding, Colt or Filly burnt Mark or other Notable Flesh Mark thereof and the price for which the same is sold or the Value of what may be given in Exchange and shall under his Hand and seal give a Certificate of such Entry to every person requiring the same upon the payment of one Shilling and Sixpence for his Trouble therein under the penalty of three pounds for every Neglect or Refusal of any or either of the said Toll Masters.

That if any Horse &c be stolen sold and Tolled yet the Property is to remain in the Owner if Claimed in Six Months

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any Horse, Mare, Colt or Filly after the passing of this Act shall be Stolen and afterwards shall be sold and tolled as aforesaid that yet nevertheless the Sale of any Such Horse, Mare, Gelding, Colt or Filly shall not take away the Property of the Owner from whom the same was Stolen so as a claim be made in Six Months after the offence or Felony done by the party from whom the same was stolen

or

or by his Executors or Administrators by any other Person of their appointment in the parish where the same Horse, Mare, Gelding, Colt or Filly shall be found before any Justice of the peace for the said Parish And so that the proof be made within Forty days then next ensuing by two Sufficient Witnesses to be produced and deposed before such Justice of the Peace that the Property of such Horse, Mare, Gelding Colt or Filly so Claimed was the Property of the party by and from whom such Claim is made and was Stolen from him or her within Six months next before such Claim of any Horse, Mare Gelding, Colt or Filly but that the party from whom the said Horse Mare, Gelding, Colt or Filly was Stolen his or her Executors or Administrators shall and may at all times after Notwithstanding any Such Sale or Sales have again and enjoy the said Horse, Mare, Gelding, Colt or Filly upon payment to the party that shall have in possession the same so much money as shall appear to have been paid by him or her by a Certificate from the Toll Master or by Oath before any Justice of the Peace that he or she has paid such value without fraud or Collusion any Law Custom or usage to the Contrary Notwithstanding.

The method of Claiming Such

And be it further Enacted that no Toll Master hereby appointed shall Toll any Horse Mare Gelding, Colt, Filly or neat Cattle sold or Offered for sale by any person or persons not being

Toll Masters not to Toll horses &c

but those of Freeholders

being Freeholders in this province unless the said Person or Persons produce a Certificate under the Hands and seal of two or more Justices of the peace of their respective Counties or parishes where they usually Reside of their being legally Possessed of the same under the penalty of three pounds for every Horse Mare Gelding, Colt, Filly or neat Cattle so by him Tolled

or those producing Certificates

AND in Order to prevent as much as may be, the Pernicious practise of unlawfully branding, Marking or disfiguring of Horses and neat Cattle Be it further Enacted that Immediately from and after the passing of this Act every person and persons within this Province who shall be Lawfully convicted of killing or of branding, Marking or Disfiguring the Brand or altering the Mark of any Horse, Mare, Gelding, Cold Filly or neat Cattle or of driving them or either of them off from their usual range or place of Feeding wantonly and not with an Intention to Steal, not being the property of such person or persons (except by Order and direction of the Lawful Owner or Owners thereof) upon Oath of one or more Evidences before two or more Justices of the Peace in any parish within same shall besides the Damages otherwise Recoverable by Law forfeit for every such Offence a Sum not exceeding Eight pounds to Be Recovered by warrant of Distress and sale of the Offenders Goods under the

Penaltys on persons Unlawfully Branding or Marking Horses &c

how recovered and applied

Hands

Hands and seals of such Justices and be applied one half to the Informer or Informers and the other half for the use of the poor of the parish where such Offence was Committed and in case no Distress shall be found whereon to Levy such forfeitures, then and in such case the party or parties Offending shall be committed to the Common Goal of Savannah there to Remain for the Space of One Month and shall receive such Corporal punishment by Whipping on the bare back not exceeding thirty nine Lashes as to such Justices shall seem meet

That no person direct their Slaves to Kill Mark or Brand Horses &c unless some white person be with them

AND BE IT FURTHER ENACTED that no person or Persons whatever shall Order or Direct his her or their Slave or Slaves to Kill Mark or Brand any Horses or neat Cattle such person not being at the same time present, or causing some White person to be present at such Killing Marking or Branding nor shall Order any of his her or their Slave or Slaves to drive any Horses or Neat Cattle from their usual place of Feeding unless he she or they shall give such Slave or Slaves a Ticket in Writing for that purpose under the penalty of a sum not exceeding Eight pounds to be heard, adjudged, Recovered and applied as herein is before directed and in case any Slave or Slaves shall be found killing, Marking, Branding or Driving any Horses or neat Cattle contrary to the Directions of this Act every such slave or Slaves being Convicted

or that they have a Ticket

Penalty and how recovered

thereof

thereof by the Evidence of a White person or of a Slave shall be punished by Whipping on the Bare Back not exceeding Thirty nine Lashes by Order or Warrant of any Justice of the Peace before whom the fact shall be proved

That no person detain any Horse &c without informing the Toll Master

AND BE IT FURTHER ENACTED that from and after the passing of this Act no person or persons Shall keep or detain in his her or their Inclosure or Inclosures to his her or their knowledge any Horse, Mare Gelding, Colt Filly or Neat Cattle for more than ten days without Informing one of the Toll Masters within the Parish where the same shall happen therewith together with the best description he she or they can give of the Same under the penalty of Three pounds for every Beast and of the further sum of Twenty Shillings for every day after the Expiration of the said Term of Ten days he, she or they shall Neglect giving such Information to be Recovered and Applied as herein before is directed and the Toll Master to whom such Information and Description is given is hereby directed and required with all Convenient Speed to publish the Same by Advertisement at the Several places of Worship or Courts of Conscience within the Said Parish and if within thirty Miles of Savannah in the Gazette to be Continued at least the Space of Twenty days and if the Owner or Owners of such Horses or Neat Cattle shall appear and prove his her or their property to the Satisfaction of such

Penalty

and how recovered

how the Toll Master is to proceed in Advertising &c

Toll

Toll Master he shall Immediately deliver or give Orders for the Delivery of such Horses or Neat Cattle to such Owner or Owners being paid the Charge of Advertising and also for his Trouble therein and also for such Charge and Expences as shall by the said Toll Master be Adjudged reasonable to be by him her or them paid to the person or persons informing of such Horses or neat Cattle and upon Refusal of paying the same then such Fees, Charges and Expences to be Levied by Warrant of Distress and sale under the Hand and seal of such Toll Master either upon such Horses or Neat Cattle, or upon any other Effects of such person or persons so Refusing, and if no owner or Owners shall appear to Claim such Horses or Neat Cattle so advertised within Twelve Months provided Such Advertisement is Repeated every three Months it shall and may be lawful to and for the Toll Master advertising the same and he is hereby directed and empowered to Sell or cause to be sold such Horses or neat Cattle at Publick Outcry to the highest bidder and the Monies arising from such Sale after Deducting the Charges and Expences, shall be paid to the Church Wardens if any or the Toll Master for the use of the Poor of the parish where the same shall be sold

And Whereas there are in many parts of this Province gangs of wild Horses and Neat Cattle to which or any of which no property can

with

with any Degree of certainty be claimed or made out and the keeping such Horses and Neat Cattle within Inclosures for any Length of time will be Attended with Considerable Trouble and Expence Be it further Enacted that in case any person or persons shall drive up and pen or put in any Inclosure any Horse, Mare, Colt Filly or Neat Cattle that are Wild such person or persons shall give Notice thereof to any Toll Master in the parish where the same shall happen, within Ten days after such Driving up, under the penalty of Twenty Shillings for every such Horse, Mare, Colt Filly or neat Cattle so drove up to be Recovered Levyed and applied as herein is before directed and such Toll Master is hereby directed and Required to fix an Advertisement at the Several places of Worship or at the Courts of Conscience in such parish and if within Thirty Miles of Savannah then also in the Gazette giving Notice thereof and where such Wild, Horses, Mares Colts Fillys or Neat Cattle are and that any person or persons claiming any Right or Title to any such Horses, Mares, Colts, Fillys or Neat Cattle may View the same and Claim such Right within Thirty days and in case any person or persons shall within such time prove his her or their property therein to the Satisfaction of the Toll Master the same to be delivered to him her or them upon paying such Reasonable Charge and Expence for driving up and keeping such Horses, Mares, Colts, Fillys

The Toll Master to Advertise Wild horses &c

or

or Neat Cattle as the said Toll Master shall direct together with One Shilling and Sixpence for his Trouble therein and in Case of Refusal of paying the same then such Charge and Expence and Fees for the same to be Levied by Warrant of Distress and Sale under the Hand and Seal of such Toll Master either upon such Horses, Mares, Colts, Fillys or Neat Cattle or upon any other of the Effects of Such person or persons and in case no Owner or Owners shall appear to claim such Horses, Mares, Colts, Fillys or Neat Cattle, within the time limitted by such Advertisement it shall and may be Lawful to and for such Toll Master to sell the same by Publick Outcry and out of the proceeds thereof To pay the Reasonable Charges of driving up and keeping and the Remainder after deducting his Fees and the Charges of sale to be applied as herein before directed

and if they are not Claimed within Thirty days they may be sold

AND BE IT FURTHER ENACTED that every Horse Mare, Gelding, Colt, Filly or Neat Cattle that shall or may hereafter be Shipped from any port in this province shall before the same be put on Board any Ship or Vessel first be avouched and Tolled before the Comptroller of the Country Duties at their Respective ports from whence the same are Intended to be Shipped who is hereby directed and Required to avouch and Toll the same and in a Book to be kept for that purpose shall enter the time the same was or were avouched and Tolled and the

That Horses &c to be Shipped be Tolled before the Comptroller who is to keep a Register book for that purpose

Name

Name of such person so Avouching and tolling such Horse, Mare, Gelding, Colt, Filly or Neat Cattle and the burnt Mark or other Notable Flesh Mark thereof and the price and prices that was or were for the same respectively given and shall under his hand and Seal give a Certificate of such entry to the person or persons so Avouching or Tolling the same upon the payment of One Shilling and Sixpence Sterling for his Trouble therein under the penalty of Five pounds for every Neglect or Refusal of the said Comptroller

which is liable to be Inspected by any person

AND BE IT FURTHER ENACTED that the said Book shall be liable to be Inspected by any Person or Persons Whatsoever upon payment by each and every Person or Persons to the said Comptroller the sum of Nine pence for each Search

Masters of Vessels before Clearing out to deliver to the Comptroller a manifest and Swear to the same

AND for the better preventing any Horse, Mare, Gelding, Colt Filly or Neat Cattle being Shipped or Exported before the same shall be so Avouched and Tolled as aforesaid the Master or Commander of every Ship or Vessel shall before the Vessel be cleared out, on board which the same shall be Shipped or intended to be shipped be Obliged to take the following

The Oath

Oath before the Comptroller of the Country Duties that is to say "that the Manifest of the Cargoe then produced Contains a true and just Account of all the Cargoe, that there is no

Horse

Horse Mare, Gelding, Colt, Filly, or Neat Cattle on Board the said Ship or Vessel except what is mentioned and contained therein and that he doth not Intend or will take on Board his Vessel before his Departure from this province any Horse, Mare, Gelding, Colt, Filly or Neat Cattle except as Expressed in the Manifest aforesaid" which Oath the said Comptroller of the Port where any Vessel or Vessels shall clear out is hereby impowered and required to Administer to every Master or Commander of any Ship or Vessel under the penalty of three pounds for every Master of any Ship or Vessel he shall Omit or Neglect to Swear as aforesaid and every Horse, Mare, Gelding Colt, Filly or Neat Cattle that shall or may be put or Shipped on Board any Ship or Vessel without being first Avouched and Tolled as aforesaid shall be forfeited and sold, the one half of the Monies arising from such sale to be for the use of the Informer the other to be paid into the Hands of the Publick Treasurer and applied as the General Assembly may hereafter Direct And the said Comptroller or Comptrollers are hereby authorized and Impowered information being first made on Oath of any Horse Mare Gelding, Colt Filly or Neat Cattle being put on board any Ship or Vessel without being avouched and Tolled as aforesaid to go and enter on Board such Ship or Vessel in the day time and make search in all parts thereof and all and every Horse Mare Gelding, Colt,

The Comptroller neglecting to Administer the Oath to forfeit £3

Power to Comptroller to enter on Board Vessels & Seize all Horses &c not Tolled

Filly

Filly or Neat Cattle therein found and Not Avouched Tolled and entered with the said Comptroller or Comptrollers as aforesaid to take Seize drive and Convey away and if any person or persons Whatsoever Shall Resist or Oppose the said Comptroller or Comptrollers in the due Execution of this Act every such person so offending shall forfeit and pay the Sum of Twenty pounds all which said Fines and Forfeitures to be sued for and Recovered by Action of Debt, Bill, Plaint or Information in any Court of Record in this province wherein no Essoign Priviledge or Wager of Law or any more than one Imperlance shall be allowed and that the said Fines and Forfeitures be disposed of as herein before mentioned

To Continue in force two years

AND BE IT FURTHER ENACTED that this Act shall Continue and be in force for and during the Term of Two Years from the passing thereof and from thence to the End of the next Session of the General Assembly and no Longer

By Order of the Commons House of Assembly
WILL^{m} YOUNG Speaker

By Order of the Upper House of Assembly
JAMES HABERSHAM President

Council Chamber
29th September 1773
Assented to

JA WRIGHT

State

(State Archives.)

AN ACT

For the Settling and ascertaining the Fees to be taken by the Several Publick Officers and persons herein after Named

Title

WHEREAS it would greatly tend to the preventing Extortion, if all Fees of Office were ascertained; and persons taking any other, or greater Fees than those allowed by Law, were Subject to Punishment. We therefore pray his most Sacred Majesty that it may be Enacted And be it Enacted by his Excellency Sir James Wright Baronet, Captain General, and Governor in Chief, in and over his Majestys province of Georgia by and with the Advice and Consent of his Majesty's Honorable Council, and Commons House of Assembly of the said Province, in General Assembly met and by the Authority of the same; that from henceforth, it shall and may be Lawful, to and for the Several Public Officers and persons herein after named or their Deputies to demand and receive the Several Fees set forth in the Table hereunto annexed for doing the Several matters of Business mentioned opposite to such Fees; but no Publick Officer or person herein after mentioned, or his Deputy or Agent or person acting as such, shall on any pretence whatsoever, demand or Receive any further or other Fee than is allowed

Preamble

Enacted

That no publick Officer demand further fees

than is allowed in the Table annexed

allowed in the Table hereunto annexed any usage or Custom to the Contrary thereof in any wise notwithstanding.

That such demanding greater Fees

AND BE IT FURTHER ENACTED by the Authority aforesaid, that, if at any time after the passing of this Act any Public Officer or person herein after mentioned, or his Deputy or Agent or any person acting as such shall under pretence of any matter or thing, done Transacted or performed by any such Public Officer or person, or his Deputy, or Agent or any person acting as such, demand, or receive, any other or greater Fees than is set down in the Table hereunto annexed: every such person so offending, shall for every such Offence; forfeit and pay Twenty pounds, with Costs of suit to any person who shall sue for the same, by Action of Debt Bill plaint or Information in his Majestys General Court, wherein no Essoign, privilege, protection, Wager of Law, or more than one Imparlance shall be granted or allowed —

shall forfeit for every offence £20

That Publick Officers put up a Table of fees in their Offices

AND BE IT FURTHER ENACTED by the Authority aforesaid, that every Public Officer and person herein after Named, and every Deputy, Agent, and person acting as such, shall within Thirty days, after the passing of this Act cause a true and exact, written or printed Copy of the Table or Docket of his Fees, as the same are established by this Act (such Table or Docket to be Written or printed in legible and fair

Words

Words and figures without any abbreviation except Sums) to be placed up, and to be kept constantly in a Conspicuous part of the Room or place where he shall usually execute the business of his Office or Employment under pain of forfeiting the sum of Ten pounds with costs of Suit for each Offence; to be Recovered by Action of Debt, Bill plaint or Information, in his Majestys General Court, wherein no Essoign privilege, protection, Wager of Law or more than one Imparlance shall be granted, or allowed—

under pain of forfeiting £10

And Whereas the Governor, and Commander in Chief for the time being, and the Chief Justice do not Execute the business of their respective Offices, in any particular place, but throughout the province at Large and as occasion may require Be it therefore Enacted by the Authority aforesaid, that the Secretary for the time being, or his Deputy, shall within Thirty days after the passing of this Act, cause such Copy of the Table or Docket of the Governors Fees, as is established by this Act to be placed up, and to be kept constantly in a Conspicuous part of the Secretarys Office; upon pain that the Secretary for the time being, or the person acting as such shall forfeit the sum of Ten pounds with Costs of suit, for each Offence; to be recovered and applied in manner herein before directed, And further that the Prothonotary of the General Court, for the

And as the Governor & Chief Justice do not Execute the Business of their Offices

Enacted

That the Secretary or his Deputy

and Prothonatory put up tables of their Fees in their respective Offices

time

time being, or his Deputy, shall within Thirty days, after the passing of this act, cause such Copy of the Table or Docket of the Chief Justices Fees, as is established by this Act, to be placed up, and to be kept constantly in a Conspicuous part of the Prothonatory Office; upon pain that the Prothonatory for the time being or the person acting as such, shall forfeit the sum of Ten pounds with Costs of Suit, for each Offence to be recovered and applied in manner herein before set forth And be it and it is hereby declared that nothing in this Act mentioned, shall be construed to Oblige the Governor or Commander in Chief for the time being Or the Chief Justice or either of them to place up any Table or Docket of Fees, in any place whatsoever, or to Subject them or either of them to any penalty or forfeiture whatsoever for the Neglect thereof, anything in this Act Contained to the Contrary thereof in any wise Notwithstanding

under penalty of £10 each

The Governor and Chief Justice Exempt from placing up Tables of Fees

THE GOVERNORS FEES—

The Governors Fees

Every Grant of Land, signed and sealed for Five hundred acres or more seven Shillings and one penny

Every Grant more than five hundred acres, Fourteen Shillings and two pence

Signing the Dispatch of every Schooner or Sloop, Four Shillings and three pence

All other Vessels, Seven Shillings and one penny Signing

Fees of Public Officers.

Signing and sealing a Testimonial, Seven Shillings and one penny

Signing a Marriage Licence Fourteen Shillings and two pence

Signing Letters of Administration if above Fifteen pounds, Seven Shillings and one penny

If under Fifteen pounds, Three Shillings and sixpence

Signing a Warrant of appraisement, if above Fifteen pounds, Three Shillings and Sixpence

If under Fifteen pounds, One Shilling and nine pence

Signing a probate of a Will three Shillings and sixpence

Signing Letters of Guardianship Seven Shillings and one penny

Signing a Warrant for Land One Shilling and nine pence

Signing a Certificate or Register for a Ship or Vessel under Thirty Tons by the Rule of the Late Act of Navigation; Three Shillings and Sixpence

All above Thirty Tons, Seven Shillings and one penny

Signing a Certificate for persons capable of Contracting Debts: One Shilling and nine pence

A Commission for a place of Profit Amounting to the Value of Fifteen pounds per Annum or More One pound, Eight Shillings and four pence

If under Fifteen pounds per Annum, Fourteen Shillings and two pence

A Warrant to the Judge of the Admiralty to Grant

Grant Letters of Marque; Fourteen Shillings and two pence

The Governor (as Ordinary) for hearing and determining every cause litigated Fourteen Shillings and twopence

The Great seal to any paper Three Shillings and Sixpence

A Dedimus potestatem, Seven Shillings and one penny

Special Petition for Renewing a Warrant of Appraisement and Fiat thereon; Three Shillings and sixpence

Renewing a Warrant of Appraisement Three Shillings and sixpence

Petition for Letters Dimissory and Fiat thereon Three Shillings and Sixpence

Special Citation to shew cause why Administration should not be dismissed; Three Shillings and Sixpence

Letters Dimissory Seven Shillings and one penny

THE SECRETARY'S FEES

The Secretary's Fees

A Warrant for Land One Shilling and nine pence

Filing the Fiat; Four pence

A Grant for Land and preparing the Wax and affixing the same for the seal if Five hundred acres or under Seven Shillings and one penny

Above five hundred Acres; Ten Shillings and seven pence A

A Bond, Two Shillings and two pence

Letters of Administration and Bond, Seven Shillings and one penny

Writing the probate of a Will and for Letters Testimentary Seven Shillings and one penny

A Warrant of Appraisement; One Shilling and Nine pence

Letters of Guardianship Seven Shillings and one penny

The Bond and Clearance of every Schooner or Sloop Four Shillings and three pence

All other Vessels: seven Shillings and One penny

Entering a Caveat; one Shilling and Nine pence

Writing a Ticket; for those to go off the Country, who are capable of Contracting Debts, one Shilling and nine pence

Every person putting up his name to depart the province nine pence

And under writing One Shilling

A Testimonial with the Great Seal Five Shillings and nine pence

Every Search Eight pence

Recording every new Register for a Ship or Vessel Signed by the Governor and attending the Governor on Signing thereof and Swearing the party Three Shillings and six pence

Recording or Copying a Will or each Writing per copy sheet four pence

A Marriage Licence and Bond; Eight Shillings and seven pence

Militia, Patrole or other Commissions to be paid by the Public, four Shillings and three pence

Entering Satisfaction on each Mortgage One Shilling and One penny

A Citation One Shilling and ten pence

Entering a Brand and Mark one Shilling and One penny

Preparing and Countersigning a Dedimus potestatem; Two Shillings and two pence

A Commission for a place of profit Amounting to the Value of Fifteen pounds per Annum or upwards Seventeen Shillings and Ten pence

places under that Value; Ten Shillings and nine pence

Attending the Courts of Justice with Records Two Shillings and Ten pence.

Every Writ of Election, and affixing the Great Seal Eight Shillings and seven pence

Drawing and Engrossing a Proclamation, Four Shillings and three pence

A Commission of the peace; One pound Eight Shillings and four pence

Preparing Wax and attending the fixing the Great Seal to any paper; Two Shillings and two pence

Reading a Petition in the Ordinary's Court and Order thereon, Two Shillings and five pence

If exceeding two Copy Sheets; per Copy Sheet five pence halfpenny

Attending the Governor in the Ordinary's

Court

Court upon matters contested Two Shillings and two pence

Special Petition for Renewing Warrant of Appraisement and fiat thereon, Three Shillings and Sixpence

Renewing Warrant of Appraisement, Three Shillings and sixpence

Petition for letters Dimissory and Fiat thereon Three Shillings and sixpence

Special Citation to shew Cause why Administrators should not be dismissed, Three Shillings and Sixpence

Letters Dimissory Seven Shillings and one penny

Petition for Letters of Guardianship Bond Recording and filing the petition Seven Shillings and one penny

FEES OF THE CLERK OF THE COUNCIL

Clerk of the Councils Fees

Drawing and reading a Petition Three Shillings and sixpence

An Order on that petition; One Shilling and ten pence half penny

The Copy of any paper exceeding two Copy Sheets per Copy Sheet four pence half penny

The Copy of any paper not exceeding two Copy Sheets One Shilling and Tenpence

A Citation Summons, One Shilling and five pence

Entering any paper per Copy Sheet or Copies of them four pence half penny

Every

Every Oath in Council (State Oaths excepted) nine pence

Reading Countersigning and entering all Grants Signed in Council, One Shilling and ten pence half penny

Attending and entering the Minutes on Caveats for Land and Order thereon Nine Shillings.

Reading Reasons or any Written Evidences relating thereto: Nine pence.

Attending and Administering State Oaths to any person admitted into any place of profit, and giving a Certificate thereof if required; for a place upwards Fifteen pounds per Annum, Three Shillings and seven pence

A place of that value or under One Shilling and Ten pence half-penny

For every Order on the Treasurer drawn by direction of the Governor in Council Eight pence

FEES OF THE CLERK OF THE UPPER HOUSE OF ASSEMBLY

Clerk of the upper house of Assemblys fees

A fair Copy of the Journals for the use of the House with Marginal Notes and an Index to the same per Copy Sheet Sixpence half penny

A fair Copy of the same and Duplicate per Copy Sheet four pence half penny

Passing a private Bill; seven Shillings and one penny

Copying the same if Required by the party per Copy Sheet; four pence half penny

A Warrant of Contempt; One pound One Shilling

A Releasement therefrom; Three Shillings and Sixpence

Every day any person shall remain in Custody Two Shillings and Sixpence

Every Letter by Order of the House; Three Shillings

FEES OF THE MESSENGER OF THE COUNCIL

Every private Petition; One Shilling and Ten pence half penny

Messenger &c

Attending on the hearing all Caveats One Shilling and Ten pence half penny

FEES OF THE DOOR-KEEPER OF THE COUNCIL

Every Petition; Eight pence. On every Caveat, Ten pence half penny

Doorkeepers of the Councils fees

FEES OF THE MESSENGER OF THE UPPER HOUSE OF ASSEMBLY

Every Letter sent out by Order of the House Three Shillings

Every Mile he shall Travel in Execution of any order of the House to be computed from the House to the place where the same shall be executed per mile Sixpence

Messenger of the upper house of Assembly Fees

Keeping

Keeping any person in Custody per day Ten Shillings

FEES OF THE CLERK AND MESSENGER OF THE COMMONS HOUSE OF ASSEMBLY.

Fees of the Clerk and Messenger of the Commons house of Assembly

The same with those of the Clerk and Messenger of the Upper House of Assembly.

THE CHANCELLOR'S FEES

Sealing every Writ; Three Shillings and seven pence

The Chancellors fees

Signing a Decree in Chancery Fourteen Shillings and two pence

Every Order on Motion or Petition Three Shillings and Seven pence

Signing and Sealing an Exemplification of a Decree Fourteen Shillings and two pence

Hearing and determining every Cause One pound Eight Shillings and four pence

THE MASTER CHANCERY'S FEES

The Master Chancery's Fees

Every Summons, One Shilling and ten pence half penny

Copies of Charges and discharges brought before the Master each side containing Fifteen lines and six words in a line four pence half-penny

Taking Affidavits in Writing, if drawn by the Master (the Oath included) One Shilling and ten pence half penny Every

Every other Oath: Nine pence

Taxing a Bill of Costs, two Shillings and five pence

All Accounts referred to him for Examination or Settling to be allowed for at the discretion of the Court of Chancery

Taking a Recognizance; Three Shillings and seven pence

Every days Attendance upon a final hearing; Three Shillings and seven pence

FEES OF THE EXAMINER AND REGISTER IN CHANCERY.

Fees of the Examiner & register in Chancery

Filing a Bill, Petition, Affidavit, or other paper, Four pence halfpenny

Every Writ of Subpoena; One Shilling and ten pence

Attending the Chancellor or Court of Chancery, on the hearing a petition or Motion Three Shillings and sixpence

Attending the Chancellor at his Chambers and for every other necessary Attendance; One Shilling and nine pence

Reading every paper; One Shilling and Nine pence

A Writ of Ne exeat provincia, Injunction or other Special Writ Ten Shillings

Every Order on a petition or Motion Two Shillings

Entering a Rule or order per Copy Sheet four pence halfpenny

Every Search; Eight pence

Copy

Copy of an Order, Bill, Answer or other paper per Copy Sheet four pence half penny

Every Rule Two Shillings

Taking Depositions of a Witness per Copy Sheet Sixpence half penny

Copying such Depositions per Copy Sheet Four pence half penny

Setting down a Cause or Demurrer for hearing One Shilling and one penny

Attending at the hearing a Cause or pronouncing a Decree each day Three Shillings

Entering a Motion; One Shilling and one penny

Entering the Minutes of a Decree each Copy Sheet four pence half penny

Drawing a Decree, each Copy Sheet six pence

Entering and fair Copy of every Decree each Copy Sheet four pence half penny

Every Attachment; One Shilling and ten pence

Entering an Appearance each Defendant; Two Shillings

FEES OF THE SOLLICITORS IN CHANCERY

Fees of the Sollicitors in Chancery

A Retaining fee Fourteen Shillings and two pence

Every attendance in Court when any business is done three Shillings and Seven pence

Court fee at hearing the Cause seven Shillings and one penny

Drawing every Bill, Answer Plea Demurrer, Replication

Replication, or other paper, each Copy Sheet Six pence half penny

Fair Copy and Ingrossing same per Copy Sheet each Copy sheet containing ninety Words, four pence half penny

Signing thereof; three Shillings and seven pence

Every motion in Court or defending the same; Three Shillings and Seven pence

A Brief or abstract of the proceedings each. Copy Sheet of such Proceedings four pence half penny

Every Brief on hearing the Cause, or Arguing Demurrer, or Exceptions Seven Shillings and one penny

A Fee upon every Writ Three Shillings and seven pence

Pleading Fee upon every final hearing, or Arguing Demurrer or Exceptions: Fourteen Shillings and two pence

Drawing a Bill of Costs and attending Taxation thereof Two Shillings and five pence

Copy of the same and Notice; One Shilling and three pence

Attending the Master upon any Reference to him by order of the Court Three Shillings and seven pence

Drawing every Decree each Copy Sheet nine pence

THE CHIEF JUSTICES FEES

The Chief Justices fees

For every Writ of Habeas Corpus; Two Shillings and Six pence

Every other Writ or process, Original Judicial or Mesne and every other Writ or process whatsoever in a Civil or Criminal Case, One Shilling and ten pence half penny

Every Summons at Chambers One Shilling

Every Order or Rule whether at Chambers or at Court Sixpence

Every Recognizance taken before him in a Civil or Criminal Case; Three Shillings and Seven pence

Every Warrant by him, two Shillings and Ten pence

For

Every Mittimus by him, One Shilling and Ten pence

Every Affidavit in Writing, taken before him One Shilling and five pence

Administering an Oath in Court or at Chambers Nine pence

Every Deposition taken before him to send out of the province One Shilling

Every Copy of a Record under the Seal of the Court to send out of the Province, Two Shillings and Sixpence

Every other Exemplification under the Seal of the Court and for Signing the Testimonial thereof Five Shillings and five pence

Taking acknowledgement of Satisfaction Nine pence

Judges Books on an Issue of Law or Fact in a Civil

Fees of Public Officers.

Civil or Criminal Case, Three Shillings and seven pence

Taxing a Bill of Costs in a Civil or Criminal Case two Shillings and five pence

Drawing a Special Jury. Five Shillings and Nine pence

Drawing a Special Jury at a Special Court Five Shillings and nine pence

Every Special Court and Attendance thereon Fourteen Shillings and two pence

The Admission of an Attorney two pounds Seventeen Shillings and sixpence

Every Judgment Confessed out of Court Six Shillings

Taking the private Examination of a Feme Covert and Signing the Testimonial thereof Seven Shillings and one penny

Cross Examination of any Witness out of Court; Three Shillings and seven pence

Every Attachment for a Contempt and seal of Court Seven Shillings and one penny

Every Judgment in a Civil or Criminal Case; One Shilling and Ten pence half penny

Every Motion in Arrest of Judgment or Demurrer in Law or Special Verdict or for a New Trial in a Civil or Criminal Case One Shilling

Hearing every Motion; Six Shillings and one penny

Every Indictment found; Three Shillings and seven pence

The Examination of a person committed for a Contempt of Court; Ten Shillings and nine pence

The

The Admission of a Guardian to prosecute or defend a cause for a person under Age Two Shillings

Entering an Action in the Judges Book that is to be tried by a Jury: One Shilling

Receiving a private Verdict One Shilling and sixpence

For allowance of a Writ of Error; Three Shillings and seven pence

Returning a Writ of Error, One Shilling and ten pence half penny

For the Trial or hearing of any cause whether civil or Criminal or Writ of Inquiry; Three Shillings and Seven pence

Discontinuing of any Action: One Shilling

Prohibition Granted; Four Shillings and nine pence

A Dedimus Potestatem; seven Shillings and One penny

Marking the Roll; that a Writ of Error is allowed One Shilling

Transcript of the Record, Examined by the Judge to be Annexed to a Writ of Error; Three Shillings and seven pence

Return of Cerciorary in a Civil or Criminal Case Two Shillings

Allowance of a Writ of Audita Querela: Three Shillings and seven pence

Every Appeal to the General Court from an Order or Adjudication of any Justice or Justices of the peace, One Shilling

For the Renewal of every Capias against defaulting Jurors One Shilling

Fees

FEES OF THE ATTORNEY GENERAL

Fees of the Attorney General

Drawing every Capias against persons indicted and not bound over, or against persons presented by the Grand Jury or Constables Three Shillings and seven pence

Drawing every Capias against Defaulting Jurors, the Same being Special Five Shillings

Filling up Writ and Signing Two Shillings

Attendance to seal One Shilling and four pence

Attendance to enter with Marshall One Shilling and four pence

Attendance on Return to Receive One Shilling and four pence

Every Renewal thereof, One Shilling

Every Recognizance Three Shillings and seven pence

A returning fee against persons Indicted where the Bill is found Fourteen Shillings

Drawing every Indictment against any person presented or bound; Seven Shillings and one penny

Entering a Noli Prosequi: Fourteen Shillings and two pence

Attending at the Judges Chambers to take the Affidavit of any person; Three Shillings and seven pence

Drawing every affidavit: each Copy sheet Six pence half penny

Pleading Fee Arguing Demurrer Exceptions, or any other motion or Arrest of Judgment each day, Seven Shillings and one penny

For

Every

Every Fiat for Grants for lands (Township Lands for new Comers excepted) and keeping a Record thereof Seven Shillings and one penny

Every other Fiat seven Shillings and One penny

Every person Discharged by Proclamation One Shilling and five pence

Sessions fee in every Cause; Three Shillings and seven pence

Report to the Governor in each private Case refered to the Attorney General by the Governor, Seven Shillings and one penny

For every Report Given by order of the Governor or Commander in Chief; Seven Shillings and one penny

Fee on every Subpoena; Three Shillings and seven pence

Every Ticket; One Shilling

Every Brief: Seven Shillings and One penny

FEES OF THE CLERK OF THE CROWN AND PEACE

Fees of the Clerk of the Crown and Peace

His Attendance on and drawing a Jury; Three Shillings and four pence

The Precept for the Grand Jury Two Shillings

Every Writ Ten pence

Every Seal four pence

Every panel of a Jury one Shilling

Swearing Marshal or Bailiff to Service of Summons on Juror four pence

Order

Order for Fine unless Excuse made, and entering same Ten pence

Order for Fine peremptory, Entering and Reading Ten pence

Copy of name and Order to Insert in the Gazette four pence

Copy of Same for the Attorney General; Four pence

Fee or Writ of Capias and Seal One Shilling and four pence

Filing same Eight pence

The Clerks Attendance in hearing a Motion in Arrest of Judgment or other Special Argument or at the Judges Chamber; on a petition preferred on a Habeas Corpus or to take the Examination or Information of any person One Shilling

Taking an Examination, Information or Affidavit each Copy Sheet: four pence half penny

Fair Copy of such Examination each Copy Sheet four pence half penny

Drawing a Warrant One Shilling

A Commitment or Liberate; Ten pence

Taking an Acknowledgment of Bail before the Judge or in Court and drawing Recognizance thereof One Shilling

Every Subpoena Ticket, Sixpence

An Order to keep a Bastard Child; One Shilling and Ninepence

A Writ of Restitution: One Shilling and nine pence

Every Cause entered in the Goal Book Sixpence

Every

Every Indictment Nine pence

Filing every Paper; four pence half penny

Swearing the Grand Jury each Juror four pence half penny

Every Oath in Court: four pence half penny

Reading every paper; Five pence

Reading and entering every Verdict Ten pence

Every Order of Court entered Eight pence

Every Arraignment or Charging a Defendant with an Indictment Two Shillings and Ten pence

Entering a Plea; Five pence

Copy of every Indictment or other paper each Copy Sheet; four pence half penny

Calling a Jury, five pence

Swearing a petit Jury; Four Shillings

The Clerks Attendance in every cause tried, One Shilling and nine pence

Every Sentence or Judgment and entering the same Two Shillings and Ten pence

Copy of a Judgment to the Marshal and Order thereon; One Shilling and nine pence

Calling a Traverse or calling respiting, estreating or discharging a Recognizance; Nine pence

Recording the Proceedings of a cause per Copy Sheet four pence half penny

A Traverse or Release or any person acquitted by Proclamation Nine pence

Entering every Special Motion; four pence

Entering presentments of Grand Jury, and orders of Court each Copy sheet, four pence half penny

Every

Every Certificate of a Coroners having returned an Inquisition into Court, Nine pence

Every Search; Eight pence

A Writ of Dedimus Potestatem, Two Shillings

Renewal of every Capias against defaulting Jurors One shilling

FEES OF THE CLERK OF THE GENERAL COURT.

Fees of the Clerk of the General Court

Every Affidavit taken in Writing, before the Judge or the Clerk of the Court and affiling, One Shilling and sixpence

Every Writ, Nine pence

Every Seal, Eight pence

Proving the Service of every Writ or Summons four pence half penny

Entering an Appearance; five pence

Affiling a Writ, Declaration, Account, Note, or other matter declared on, plea Replication, Rejoinder demurrer Joinder in Demurrer or other or paper Lodged in the Office for that purpose, Nine pence

Every Rule to plead, Rule of Trial, or executing a Writ of Inquiry, Rule to reply Rejoin or other Common Rule Five pence

Every usual Search in the Office in any cause during the Course of the proceeding Searches by Attorneys or their Clerks excepted five pence

Every search for a Judgment obtained or for any other paper such search not being made during

during the course of the proceedings, searches by Attorney's or their Clerk excepted Nine pence

Every Abstract of such Judgment or other paper if the party requires the same, Five pence

Every Order for Interlocutory and final Judgment Five pence

Signing every Interlocutory and final Judgment One Shilling and ten pence

Every Issue joined; Five pence

Entering a Cause on the Docquet and Copies thereof for the Judges; Eight pence

The Venire in every Cause tried and enquiry executed one shilling and five pence

Swearing every Jury, Four Shillings and three pence

Every Oath in Court (except for Jurors) four pence half penny

Reading every Paper Five pence

Attendance in every cause tried or Inquiry executed One Shilling and Ten pence

Reading and entering every Verdict, Ten pence

Every plea or Juror withdrawn by Consent of parties or Nonsuit Five pence

The Copy of the panel on an Issue Tried at the request of either party, Five pence

Taxing a Bill of Costs if Required four pence

Recording the proceedings in every cause per Copy Sheet, four pence half penny

Every Satisfaction, Nine pence

Copying a Declaration plea or other Writing each

each Copy sheet, otherwise than the Recording the proceedings at large Four pence half penny

The Judges Testimonial to an Exemplification One Shilling and ten pence

Attendance on a Special Motion or hearing a Summons, Argument on Demurrer or other special Argument, One Shilling and ten pence

Entering every Motion, Nine pence

Every Order of Court, Five pence

Attending drawing every Special Jury; Three Shillings and four pence

Each days Attendance at a Special Court; Three Shillings and four pence

The panel in every Jury, One Shilling

Drawing a Recognizance and attending on taking Special Bail; One Shilling and Ten pence half penny

Entering Exceptions to a Special Bail, Nine pence

An Additional Bail, Justification or Surrender One Shilling and nine pence

Attending at the Judges Chambers on a Petition preferred on a Special Motion or on the Examination of sick persons or those departing the Province One Shilling and nine pence

Receiving Money into Court and paying it out again One and an half per Centum both included

Entering the Request of every Witness demanding his Expences before he is Sworn; four pence halfpenny

A Certificate if it is required more four pence half penny

A Summon before a Judge; Eight pence

A Rule of Reference or other Special Rule; Eight pence

Taking the Examination of any person before the Judge; each Copy Sheet if done by the Prothonotary or his Clerk Six pence

Fair Copy of such Examination each Copy Sheet four pence half penny

Recording a Renunciation of Dower per Copy Sheet Six pence

The Fees Respecting defaulting Jurors, the same as those allowed the Clerk of the Crown and peace

FEES OF THE ATTORNIES OF THE GENERAL COURT AS WELL AT SPECIAL AS AT GENERAL COURTS

Fees of the Attornies of the General Court &c

A Retaining Fee in every Cause Seven Shillings and one penny

The Warrant of Attorney, Nine pence

Every Affidavit in Writing and fair Copy thereof per Copy Sheet four pence half penny and sixpence per Copy Sheet for the Original

Every Attendance necessary in the Cause, One Shilling and five pence

Filling up every Writ and Signing same; Two Shillings and five pence

Copy of Writ, and Notice each Copy; One Shilling and five pence

If long and Special Three Shillings

Drawing a Declaration, Plea, Replication,

Rejoinder

Rejoinder, Demurrer, Joinder in Demurrer or other Pleading Two Shillings and Ten pence

The Pleadings or proceedings if they are Special more Two Shillings and Ten pence

Fair Copy thereof, per Copy Sheet four pence half penny

Signing such Pleadings and joinder of Issue Special Rule of Court or Petition One Shilling and five pence

Copy of every Bond, or other Writing declared on if not exceeding five Copy Sheets One Shilling and Ten pence halfpenny

Exceeding five Copy Sheets, each copy sheet four pence halfpenny

Fee on every Rule to plead, Rule for Trial or executing Writ of Inquiry Rule to Reply, Rejoin or other Common Rule nine pence

Service of every Rule in Savannah: One Shilling and five pence

If out of the Town of Savannah per mile; Two pence

A Brief in every Cause Three Shillings and seven pence

A Court Fee in every Cause not exceeding two Courts, each Court; Three Shillings and Seven pence

Every Subpoena a Ticket and Conduct Money One Shilling and five pence

Service of every such Ticket in Savannah One Shilling and five pence

The Witness Residing out of Town per Mile two pence

Pleading Fee in every Cause on a Trial at Law

Law or fact or Motion in Arrest of Judgment or for a New Trial Seven Shillings and one penny

Fee on Execution every Writ of Inquiry Three Shillings and seven pence

The Attorney to pay the Petit Jury in every Cause tried or Inquiry executed; Three Shillings and Seven pence

Every Common Motion where an Order Ensues One Shilling and One penny half penny

Drawing every Judgment at Large One Shilling and ten pence half penny

If Special More, One Shilling and five pence

Drawing Bill of Costs Nine pence

Copy of Bill and Notice if Contested, One Shilling and two pence

Drawing and Ingrossing Execution One Shilling and five pence

Signing an Execution or Scire facias One Shilling and five pence

Fee on ending every Cause One Shilling and Ten pence half penny

Drawing Signing Satisfaction and Acknowledging Satisfaction in Court Two Shillings and ten pence

Attending thereon out of Court; Two Shillings and Ten pence

Every Notice of Bail and Special Motion and Service Two Shillings and Ten pence

Attending the Judge at his Chambers to Make a Motion, or to Confess Judgment by Warrant of Attorney; Two Shillings and ten pence

The Attendance of every Witness who lives in

in the Country each day (allowing a Reasonable time for Setting out and Returning home) with the payment of Ferriages if any in the Way, One Shilling and nine pence and for Travelling Charges More One Shilling and Nine pence each day if required in Court; and for Witnesses in Savannah One Shilling and nine pence each day, if required in Court before the Witness is Sworn

Drawing every Petition to the Judge or Court Two Shillings and Ten pence

Fair Copy of such Petition per Copy Sheet; four pence half penny

Attending the Judge at his Chambers, upon a Petition preferred or upon a Special Argument two Shillings and Ten pence

Every Special Argument upon a Rule of Court at Chambers or in Court Seven Shillings and one penny

Attending Arbitrators upon a Rule of Referrence each day if required in Writing by the Arbitrators Ten Shillings

Attending and Striking a Special Jury, Two Shillings and Ten pence

Striking Such Jury; One Shilling and five pence

Fee on a Venire for a Special Jury; Two Shillings and two pence

To pay each Person appearing on the panel of a Special Jury for his Attendance at Court each day; Five Shillings

Attending a Special Court each day Seven Shillings and one penny

Exceptions

Exceptions to Bail and Notice thereof Three Shillings and Six pence

Attending the Judge to take the Examination of sicke persons, or such as are departing the Province Three Shillings and seven pence

Drawing Interrogatories for such Examination per Copy Sheet Two Shillings and Sixpence

Fair Copy of same per Copy Sheet four pence half penny

FEES OF THE PROVOST MARSHAL

Fees of the Provost Marshal

Summoning a Special Jury; Three pounds

Serving every Writ if the Defendant is taken, Civil or Criminal Five Shillings and nine pence

Serving a Summons in Civil or Criminal cases Two Shillings and Ten pence

Drawing every Bail Bond; One Shilling and Ten pence half penny

Returning every Summons or Writ; One Shilling and one penny half penny

Going by land or Water to Serve a Writ or Summons if Served each Mile from Savannah to the Persons House; Two pence One Farthing

All Goods sold on Execution for the first fifteen pounds five per Cent and for all above two and an half per Cent and in no other case Whatsoever

Diet of White Persons each day allowing One pound of Flesh and two pounds of Bread all Wholesome provisions Ten pence

Dieting Negroes each day; Sixpence three farthings

Serving an order of Council on Shore in Criminal matters and not otherwise, Three Shillings and seven pence

If out of Savannah each Mile: Two pence farthing

The Commitment of any person, where an Habeas Corpus is afterwards brought for his Relief Four Shillings and nine pence

The Bond the prisoner is to sign One Shilling and three pence

Every Copy of a Mittimus; One Shilling and three pence

Every Mile bringing back a Prisoner upon an Habeas Corpus; One Shilling and three pence

Waiting on a prisoner on an Habeas Corpus where no mileage is paid each day Three Shillings and Seven pence

Executing Every Criminal Fourteen Shillings and two pence

For Attending the Jury Withdrawn to Consider of a Verdict Two Shillings

For an Execution on the Body; on the true Debt and Costs five per Centum, on the first Fifteen pounds and two and an half per Cent on all above that sum

For each person presented and prosecuted One Shilling

Each person acquitted by proclamation Nine pence

For a Special Deputation Ten Shillings

Making a Levy; Eight Shillings and Sixpence

Attending persons taken by Warrant at the Judges

Judges Chambers Three Shillings and seven pence

Assignment of every Bail Bond One Shilling and ten pence

For Conducting a Prisoner before a Judge or Court, to and from the Common Goal Five Shillings

Executing and Returning a Warrant of Escape Three Shillings and seven pence

Mileage thereon Two pence Farthing per Mile

Executing and Returning a Bench Warrant Three Shillings and Seven pence

For each Mile to serve the same; Two pence Farthing

FEES OF THE JUDGE OF THE ADMIRALTY

Fees of the Judge of the Admiralty

A Warrant of Arrest and each other Warrant Three Shillings and seven pence

The Return thereof; One Shilling and ten pence

Admitting the Libell; Three Shillings and seven pence

A Citation of Witnesses; One Shilling and ten pence

Examining every Witness in Court One Shilling and five pence

Examining, Repeating and approving each deposition taken out of Court; One Shilling and five pence

Administering an Oath, Nine pence

Holding

Holding every Court in each Cause; Fourteen Shillings and two pence

Every Order entered and Signed by the Judge One Shilling and ten pence

Every Order before Contestation of Suit; four pence

Every Order after, One Shilling and five pence

Every Interlocutory Decree; Seven Shillings and one penny

Every Definitive Sentence, Fourteen Shillings and Two pence

Every Commission to Examine Witnesses; Seven Shillings and one penny

Examining and Admitting each Deposition returned thereby, One Shilling and five pence

Every Letter of Marque, and Instructions thereon and taking the Necessary Securities; Two pounds, two Shillings

Taking a Stipulation; One Shilling and ten pence

Every Monition to Cite the parties, One Shilling and Ten pence

Taxing Costs; Two Shillings and four pence

Signing a Testimonial affixed to Exemplifications under the Seal of the Court Five Shillings and four pence

FEES OF THE ADVOCATE GENERAL

Fees of the Advocate General

His Retaining Fee; fourteen Shillings and two pence

Taking out the Warrant of arrest, three Shillings and seven pence Drawing

Drawing every Libel, Answer, Alligation and other Instrument exhibited by the Copy Sheet Sixpence half penny.

Fair Copy of the same per Copy Sheet Four pence half penny

Abbreviating every Copy Sheet of Instrument exhibited by the advers party four pence half penny

Every Motion made in Court before Contestation of Suit; four pence half penny

Every Motion afterwards, One Shilling and five pence

His Fee on Arguing any matter of Law, on which an Interlocutory Decree or Definitive Sentence shall be made; Seven Shillings and one penny

Taking out each Citation for Witnesses; One Shilling and one penny

Examination of Witnesses for each Copy Sheet taken by the Register; Sixpence half penny

A Court fee in Each Cause; Seven Shillings and One penny

A Brief in every Cause, Three Shillings and seven pence

Drawing Bill of Costs and Attending; Taxing Two Shillings and four pence

His Fees upon the Trial of Pirates; The same as above

FEES OF THE PROCTORS OF THE COURT OF ADMIRALTY.

Fees of the Proctors of the Court of Admiralty

The same as those of the Advocate General—

Fees

FEES OF THE REGISTER OF THE COURT OF ADMIRALTY

Every Warrant; One Shilling and Ten pence
Filing every Instrument, or paper exhibited in Court four pence
Every Citation nine pence
Entering every Order before Contestation of suit four pence
Every Order after Contestation of Suit Nine pence
Reading every Exhibit, Nine pence
Every Copy of the proceedings in the Court per Copy Sheet Containing Ninety Words; four pence half penny
Every Interlocutory Decree, each Copy Sheet four pence half penny
Every Final Sentence by the Copy Sheet four pence half penny
Taking Depositions of Witnesses; by the Copy Sheet Sixpence half penny
Every Witness Sworn in Court Four pence
Entering the Return of every Warrant, Citation or other return Four pence
Entering every Motion in Court four pence
Drawing and Engrossing Testimonials to be signed by the Judge; each Copy Sheet Ten pence halfpenny
Writing Monitions to Cite parties, each Copy Sheet Sixpence halfpenny
Recording Proceedings each Copy Sheet Four pence half penny

of the Register

Informations

Informations for Contempts, each Witness interrogated One Shilling and Ten pence

Notification of Sales; One Shilling and five pence

Every Search; Eight pence

Attending the Judge on Granting Letters of Marque and drawing the Securities; four Shillings and three pence

Drawing a Stipulation; Two Shillings and ten pence

FEES OF THE REGISTER OF THE COURT OF ADMIRALTY FOR THE TRIAL OF PIRATES

of the Register for the Trial of Pirates

The Monition; Nine pence

Every Warrant for Apprehending One Shilling and Ten pence half penny

The Prisoner's Examination; on Writing each Copy Sheet; Sixpence half penny

Examining Informers, each Copy Sheet sixpence half penny

An Order thereon; Four pence half penny

Every Commitment, Nine pence

Attendance at Court each day One Shilling and Ten pence half penny

Summons for Witnesses each; One Shilling and one penny half penny

Every Oath in Court; Four pence half penny

Every Recognizance; One Shilling and Ten pence half penny

Reading the Commission of Piracy; One Shilling and one penny half penny

Reading the Articles of Accusation; Nine pence

Interrogatories

Interrogatories and Answers each Copy Sheet four pence half penny

The same by the Party; four pence half penny

Entering the Prisoner's Defence each Copy Sheet four pence half penny

Entering the Votes of the Judges; nine pence

Drawing the sentence; One Shilling and Ten pence half penny

A Warrant for Execution; One Shilling and Ten pence half penny

Copy of the whole proceedings to send home per Copy Sheet, four pence half penny

Seal of the Province and Governors Testimonial to the whole proceedings; Fifteen Shillings

FEES OF THE MARSHAL OF THE COURT OF ADMIRALTY

Fees of the Marshal of the Admiralty

Serving a Warrant by land and returning the same Three Shillings and seven pence

Serving Warrant by Water on Board any Ship in the Stream of any River and Return; Seven Shillings and one penny

Drawing a Bond for the Appearance of any Person attached One Shilling and Ten pence half penny

Mileage for every mile by land Two pence Farthing

Every Mile by Water Nine pence

Every day keeping a Vessel in his Custody; Five Shillings and Nine pence

Serving each Citation and Mileage as above Ten pence half penny

Selling

Selling Vessels or Goods and Receiving and paying money for the first Fifteen pounds five per Cent and all above two and an half per Cent

Attendance each day, One Shilling and five pence

Keeping a person in Custody each day Ten pence half penny

Copy of every Warrant if required by the party Attached; Nine pence

FEES OF THE MARSHAL OF THE ADMIRALTY ON THE TRIAL OF PIRATES

The same on the Trial of Pirates

Each days Attendance; Three Shillings and seven pence

Execution of each Criminal Fourteen Shillings and Two pence

Commitment; One Shilling and Ten pence half penny

Releasement Three Shillings and seven pence

Diet each day allowing one pound of Flesh and two pounds of Bread Wholesome Provisions Ten pence halfpenny

THE REGISTER OF GRANTS FEES

Fees of the Register of Grants

Registering any Grant per Copy four pence half penny

A Certified Copy of any Grant per Copy Sheet Six pence half penny

Every Search Eight pence

FEES OF THE JUSTICES OF THE PEACE

Fees of the Justices of the Peace

Taking a Deposition in Writing One Shilling and One penny half penny

A Warrant and Oath in Criminal Cases One Shilling and five pence

A Recognizance; One Shilling and five pence

A Commitment Nine pence

Swearing Appraisers and Certifying the same for the whole; One Shilling and five pence

A Warrant in Civil Cases One Shilling

Every Oath Nine pence

A Liberate, Nine pence

Examining of Witnesses and hearing and determining the Cause; One Shilling and five pence

Writing and Signing an Execution One Shilling

Writing and Signing the Probate of any Writing and Swearing the Witnesses One Shilling and five pence

A Hue and Cry One Shilling and ten pence halfpenny

FEES OF THE CONSTABLES.

of Constables

Serving a Warrant One Shilling

Serving an execution One Shilling

Poundage after the rate of Three pence in the pound upon all sums Levied (Except all sums. Levied by Virtue of an Act intitled "An Act for the more easy and speedy recovery of small Debts and Damages")

Every

Every Mile he shall Travel in the Execution of his Office, outwards only; Two pence farthing

Carrying on an Hue and Cry; Five Shillings and four pence

Attendance in Searching for Stolen Goods for every day at the request of the party Complaining; Two Shillings and Ten pence

Every day he shall keep a Prisoner in Custody in Criminal Cases only; Two Shillings and sixpence

Every day bringing a Prisoner to Goal as above Five Shillings Traveling Charges for carrying Prisoners to Goal and returning home each day; Two Shillings and Sixpence

All the above Services to be Certified by a Justice of the Peace

FEES OF THE PUBLICK TREASURER

of the Publick Treasurer

Every Entry and Clearance of a Vessel (Oath and Manifest included) and for Examining Masters in regard to the passengers in the whole; Two Shillings and ten pence

Every Entry for an Entire Cargo of Negroes; Two Shillings and Ten pence

Every Other Entry Nine pence

Every Drawback; Nine pence

Every Bond and Licence; for retailing Liquors; Two Shillings and Ten pence

For Advertising the Names Annually of all persons who have obtained Licence; Ten Shillings

For taking Bond &c agreeable to an Act for laying

laying a Tax upon Transcient Trade; Two Shillings and six pence

For every Entry of Goods imported from the Northern Colonies; by an Act for laying a Duty upon such Commodities Imported; One Shilling and Sixpence

FEES OF THE COUNTRY COLLECTOR OR COMPTROLLER

Fees of the Collector or Comptroller

The Entrance and Clearance of a Vessel; Oath and Manifest included; Two Shillings and Ten pence

Every other Oath; Nine pence

Every Drawback, upwards of three pounds; One Shilling and ten pence half penny

And under three pounds; Nine pence

Every Entry of an entire Cargo of Negroes; Two Shillings and ten pence

Every other Entry; Nine pence

FEES OF THE PUBLIC NOTARIES

of the Public Notaries

Every Protest Oath included; not exceeding Sixteen Copy Sheets of Ninety Words; Eleven Shillings and five pence

Duplicate of a protest by the Copy Sheet; Four pence half penny

Administering an Oath in any other Case; Nine pence

Each Attendance on any person to prove any matter or thing, as Notary Public and certifying the same Three Shillings and seven pence

Every other Certificate; Nine pence

Noting

Noting a Protest; Five Shillings

Every Protest exceeding Sixteen Copy Sheets At Nine pence per Copy Sheet

For the Protocal, registered in the Notary's Books per Copy Sheet six pence

For a Copy of a Protest if Demanded per Copy Sheet; Four pence half penny

FEES OF THE POWDER RECEIVER

of the Powder Receiver

Every Barrel of Powder of One Hundred pounds lodged in the Magazine and delivered out, One Shilling and sixpence

And in Proportion for any other Quantity

All Monies he shall receive in lieu of powder One Shilling in the pound

FEES OF THE CORONER

Fees of the Coroner

Every inquest on a Dead person; One pound Ten Shillings 1. 10.---

Every Inquisition Thirteen Shillings and four pence

Every Mile he shall travel to hold an Inquisition Nine Pence

His Fees the same as the Provost Marshal for service and return of Writs and sales of Lands Goods and Chattels

FEES OF THE AUDITOR GENERAL

of the Auditor General

Every Audit of a Grant for land; Six Shillings and nine pence

Every Search; Eight pence

Fees

FEES OF THE CRYER OF THE COURT

of the Cryer of the Court

Every Cause tried---Six pence

Challenge of the Jury for Plaintiff or defendant One Shilling

Every Witness sworn on a Voire dire; One Shilling

Every Witness Sworn to give Evidence; Two pence

Swearing an Interpreter each side; One Shilling

Nonsuit, or Defendants Verdict One Shilling

Every Cause referred each side Six pence

Withdrawing a Juror; each side sixpence

Every private Verdict, One Shilling

His Fees in the General Court of Sessions

Swearing every Witness for the Person indicted Two pence

Calling a Traverse; Two Shillings

Every not Guilty; One Shilling

Entering every Traverse; Sixpence

Every Recognizance and discharged, and every Submission to a fine each One Shilling

A Special pardon pleaded; Ten Shillings

A General Pardon pleaded; One Shilling

From every Attorney at the end of each Court and Sessions and from the Prothonotaries; One Shilling

FEES OF THE CLERK OF THE CHURCH OF ENGLAND

of the Clerk of the Church

Attendance at each Funeral; One Shilling and Ten pence half penny

Attendance

Attendance at every Marriage or Christening One Shilling and Ten pence half penny

of the Sexton

FEES OF THE SEXTON

For

Digging the Grave and filling it up; Two Shillings and Ten pence

Ringing the Bell; One Shilling and Ten pence half penny

THE SURVEYOR GENERALS FEES

Fees of the Surveyor General

For a Copy of every Warrant and a Precept thereon; One Shilling and five pence

For a New Precept or prolonging an old one One Shilling and five pence

For every hundred acres of Land Surveyed; Two Shillings and four pence

For each plat Record of that plat and Certificate thereof; Seven Shillings and two pence

For the Survey of a Town Lot Three Shillings and three pence

For a Plat of a Town Lot, Record and Certificate of the same; Seven Shillings and two pence

For an Attested Copy of a Plat; four Shillings and three pence

For a search (that is every different name) nine pence

For a Certificate; One Shilling and one penny

For Business done by Special Order of Council not herein provided for; One Shilling and five pence

For a Copy of a Warrant without a precept and

and Certifying the same; One Shilling and five pence

If a Tract of Land or Town Lot is ordered to and Surveyed for any person and afterwards ordered to be passed to another person the latter is to pay all fees due thereon by the person or persons to whom it was before Ordered

THE DEPUTY SURVEYOR'S FEES

of the Deputy Surveyors

For every Survey under Twenty Miles from his place of Abode Seven Shillings and two pence

Also for every Survey per hundred acres Two Shillings and four pence

Also for the plat of each Survey Certified and returned to the Surveyor Generals Office; Seven Shillings and two pence

For every Survey above Twenty Miles from his place of abode, for every Twenty Miles exceeding that distance, Seven Shillings and two pence

For running out a Town Lot if cleared, Three Shillings and three pence

And if not cleared; Six Shillings and Six pence

For a Certificate of the same returned to the Surveyor General's Office; Seven Shillings and two pence

Proviso & Enacted

PROVIDED ALWAYS AND BE IT ENACTED by the Authority aforesaid that in case of the Absence of the Chief Justice for the time being, from Savannah

That if the Chief Justice is absent three days

the Justice who Transacts the Business be entitled to the moiety of the Fees and in Case of the Death or removal of the Chief Justice the assistant Justices are entitled to the full fees

vannah for the Space of three days except upon Public Business That then the Assistant Justice who shall be thereby obliged to do and transact the Business of such Chief Justice at Chambers shall be entitled to the Moiety of such Fees for the business transacted out of the Court by such assistant Justice, as are appointed in and by this Act to be taken by such Chief Justice And that in case of the Death or Removal from Office of the Chief Justice the Assistant Justice or Justices for the time being who shall be thereby obliged to do and transact such business shall be entitled to the full Fees as in and by this Act are directed to be received by the Chief Justice, until another shall be appointed to the said Office

Enacted that Publick Officers do give a particular account to persons requiring the same

AND BE IT FURTHER ENACTED by the Authority aforesaid that every Public Officer and person herein before mentioned and his Deputy or Agent and every Person Acting as such shall (if thereunto required) be obliged to give to any Person, paying any Lawful or Pretended Fee or Fees of Office; a particular Account of Such lawful, or pretended Fee or Fees of Office, claimed by, and paid to any such Public Officer or person herein before mentioned or his Deputy or Agent or the Person Acting as such; under pain that every Public Officer or Person herein before mentioned, or his Deputy or Agent or the Person Acting as such; shall for every refusal or Neglect so to do forfeit the sum of Ten pounds

or forfeit ten pounds Proviso &

with

with Costs of Suit to be sued for recovered and applied in manner herein before directed---

PROVIDED ALWAYS AND BE IT FURTHER ENACTED by the Authority aforesaid that all Suits and Actions which shall be brought or commenced by Virtue of this Act shall be brought before the end of Six Months after the Offence Committed and not otherwise And be it Enacted by the authority aforesaid that in Case any Public Officer or person herein before mentioned shall be sued or prosecuted for or by reason of any Fee of Office whatsoever and a Verdict shall be given for such Public Officer or other Person or if the Plaintiff or Prosecutor shall discontinue such their suit or prosecution or shall be non suited therein such Public Officer or Person shall recover Double costs

Enacted that suits brought by virtue of this Act be tried in six months

Enacted that if Publick Officers are sued

and a verdict be given for such the prosecutor to forfeit double costs

PROVIDED ALSO that this Act shall Continue in force for three years and from thence to the end of the then next Sessions of the General Assembly and no longer

Proviso that this Act Continue for three years

PROVIDED LASTLY and it is hereby Declared that neither this Act, nor any part thereof shall take effect until his most Sacred Majesty shall Notify his Confirmation, and allowance thereof to his Governor or Commander in Chief of this Province for the time being, any thing herein

Proviso lastly that this Act shall not take effect until his Majesty shall notify his allowance thereof

before

before contained to the Contrary in any wise Notwithstanding

By Order of the Commons
House of Assembly
WILL^m YOUNG Speaker

By Order of the Upper House
of Assembly
JAMES HABERSHAM President

Council Chamber
29^th September 1773

Assented to
JA WRIGHT

(State Archives.)

AN ACT

Title *For Granting to his Majesty a duty upon Raw Neat Hides exported from this Province and for preventing the Exportation of unmerchantable Tann'd Leather*

Preamble WHEREAS the Exportation of Raw Neat Hides from this Province tends to the Discouragement of Industrious Tradesmen and Labourers, in order therefore as much as may be to prevent the

the Exportation thereof We pray your most Sacred Majesty that it may be enacted, And be it Enacted by His Excellency Sir James Wright Baronet, Captain General and Governor in Chief of his Majesty's Province of Georgia by and with the Advice and Consent of the Honorable the Council and Commons House of Assembly in General Assembly met and by the Authority of the same, that from and after the passing of this Act the duty and Imposition herein after mentioned shall be laid imposed and paid on every Raw Hide exported from this province (Except to Great Britain) for the use of his Majesty his Heirs and Successors and be applied and disposed of in such manner as the General Assembly shall think proper, that is to say, on every Raw Hide of a Bull, Steer, Cow, or Heifer the sum of Seven Shillings and Sixpence on every Calf Hide the sum of Two Shillings and Sixpence and for the better Collecting the Duty as aforesaid and for preventing frauds therein Be it further Enacted that any Person or Persons exporting or intending to export any Raw Hides as aforesaid shall at or before the Shipping the same make an Entry thereof with the Publick Treasurer or the Comptroller of the Country Duties in any one of the several ports of this Province Specifying the number and Quality of the said Hides so intended to be exported with the name of the Vessel and Master and the place to which the said Vessel is bound and Shall upon Oath declare (which Oath the said Treasurer or Comptroller is hereby empowered

Enacted

That the duty after mentioned be laid on Raw hides Exported (Except to Great Britain)

for the use of his Majesty

the duty

The manner how Raw hides may be Exported

ered to Administer) that the same contains a Just and true Account of Raw Hides intended to be by him or them exported as aforesaid and shall thereupon and before the same are put on board such Vessell pay the duty by this Act imposed on the same to the Publick Treasurer or Comptroller of the Respective Ports---

Raw Hides Ship'd before entry thereof

and the duty to be paid

to be forfeited

how such Raw hides may be seized

AND BE IT ENACTED that if any Raw Hides liable to the duty Imposed by this Act shall be put on board any Ship or Vessel before Entry thereof is made And the Duty paid as aforesaid, all and every Raw Hide so put on board contrary to the intent and meaning of this Act shall be forfeited and disposed of as herein after is directed and the Comptroller and Waiters in the several ports are, and they are hereby Authorized Impowered and required (Information being first made On Oath of any Raw Hides being put on board any Ship or Vessel not being entered and the duty paid thereon as aforesaid) to enter on board Such Ship or Vessell in the day time and make Search in all parts thereof and if after Receiving Information upon Oath as aforesaid of such Raw Hides and Skins being on board any Ship or Vessell denial shall be made to the Opening of the Hatches of such Ship or Vessell or of any Locks or Chests Casks Bales, or Packages whatever that there shall be Just reason to suspect contain Such Hides or Skins, the same upon such Denial to break and Open and if any Raw Hides be found therein the same to Seize and bring on Shore and such Raw

Raw Hides and Skins shall be and they are hereby declared to be forfeited and if any person or persons whatever shall resist or oppose the said Comptroller or Waiters in the due Execution of this Act, every such person so offending shall forfeit and pay the sum of Twenty pounds to be sued for and Recovered by Action of Debt, Bill Plaint, or Information in any Court of Record in this Province wherein no Essoign Priviledge or Wager of Law or any more than one imparlance shall be allowed, provided, Always that such forfeiture be sued for within three Months after the Offence committed and to be disposed of as herein after is directed

and declared forfeited

persons resisting the Comptroller or Waiters to forfeit £20

AND BE IT FURTHER ENACTED that all Raw Hides or Skins which shall be Seized and forfeited by Virtue of this Act and all other fines and forfeitures that shall or may be incurred in and by the same in case the Value of Amount shall exceed the Sum of Eight pounds the same Shall be tried heard, Adjudged and determined in the General Court and where such Value or amount shall not exceed the said Sum of Eight pounds the same shall be heard Adjudged and Determined as directed in and by an Act Intitled "An Act for the more Easy and Speedy Recovery of small debts and damages" all which said fines and forfeitures shall be the one Moiety thereof to the use of the Informer or the person or persons who shall sue for the same, and the other Moiety to his Majesty his Heirs and Successors to be paid to the publick Treasurer of this

fines and forfeitures incurred by this Act

how recovered

and disposed of

this Province and applied and disposed of for the use of his Majesty his heirs and Successors in such manner as the General Assembly shall

Tanned hides offered for sale or Exportation

think proper And for preventing the exportation of Unmerchantable Tanned Leather Be it further Enacted that all Tanned Hides, Sides or Calf Skins that shall be offered for sale or Intended for exportation Two months from and after the passing this Act shall be thoroughly Tanned free from broken grain the Bark Scoured off Well Stoned and perfectly dry and shall not be Shipped or taken on Board any Ship or Vessell with out being first Inspected by an Inspector to be hereafter Appointed who

to be first Inspected & Branded

shall Inspect and brand every Good and Merchantable Hide, Side, or Skin by him so inspected and give unto the person purchasing or intending to Ship the Same a Certificate thereof Setting forth that he hath Inspected and branded so many Hides, Sides or Skins of Tanned Leather which Certificate shall be produced and delivered to the Treasurer or to the Comptroller of the Country duties on entering out the same who is hereby forbid clearing out any Leather without Such Certificate under the penalty of five pounds for every such offence and the Inspector shall be allowed for every Hide Side or Skin he shall inspect the following Fees Viz[t] for every Hide three half pence, for every side one penny, for every Calf Skin One half penny which Fees shall be equally paid by the Buyer and seller

and the Inspector to give a Certificate of his Inspection

The Treasurer or Comptroller not to clear out the same untill Certificate be produced

fees of the Inspector

And

Hides and Leather.

AND BE IT FURTHER ENACTED that any leather put on board any Ship or Vessell for exportation without being first Inspected and Branded as aforesaid by the person appointed for that purpose shall be and is hereby declared to be forfeited agreeable to the Intent and meaning of this Act, and the Master of any Ship or Vessell taking such Hides Sides or Skins on board his Ship or Vessell not inspected or branded as aforesaid shall forfeit for every such offence a Sum not exceeding Twenty pounds or less than five pounds to be Levied Recovered and applied as herein before directed

Leather put on board without being Inspected

declared forfeited

and Masters of Vessels having such on board £20

AND BE IT FURTHER ENACTED that such Person or Persons as shall be appointed Inspector or Inspectors as aforesaid shall be and they are hereby directed before they enter into the Execution of their Office Severally And Respectively to take the following Oath before one of the Judges of the General Court who shall grant such Inspector or Inspectors a Certificate thereof Viz^{t},, "I,, A,, B,, do Solemnly Swear that I will faithfully and Impartially execute the business and duty of an Inspector of Tanned Leather in the Port of to the best of my Skill and Judgment without favour or prejudice and without any delay Agreeable to an Act of the General Assembly of this Province Intitled An Act for Granting to his Majesty a duty upon Raw neat Hides exported from this Province and for preventing the exportation of Unmerchantable Tanned Leather and that I will not directly

Inspectors before entering on Office

are to take an Oath

The Oath

directly or indirectly buy or Sell any Leather for Exportation either on my Own Account or that of any Other person or Persons during such time as I shall continue in this Office And for the more Effectual and better securing the payment of the duties imposed by this Act as well as to prevent the Exportation of Unmerchantable Tanned Leather

Masters of Vessells at Clearing to take an Oath

BE IT FURTHER ENACTED that every Master or Commander of any Ship or Vessell shall be obliged at the Clearing out such Ship or Vessell in the Several Ports to take the following Oath before the Treasurer or Comptroller appointed for that purpose, that is to Say I,, A,, B,, do Swear that the manifest of my Cargoe now produced contains a Just and true Account of all such Bull, Steer, Cow or Heifer Hides Calf Skins or Tanned Leather on board the whereof I am Commander and that I do not intend or will take on Board the said Vessell before my departure from this Province any Bull, Steer, Cow or Heifer Hide or Side Calf Skin or Tanned Leather except as expressed in the manifest aforesaid and if the Treasurer or Comptroller shall neglect or refuse to Tender or Administer the said Oath the Treasurer or such Comptroller shall forfeit and pay a sum not exceeding Twenty pounds and not less than five pounds to be Levied Recovered and Applied as herein before is directed

The Oath

Treasurer or Comptroller neglecting to Tender such Oath

to forfeit £20

AND BE IT FURTHER ENACTED that if any Inspector

spector shall Intentionally brand any Tanned Hides, Sides or Skins that shall not be Merchantable Such Inspectors shall forfeit for every such offence the sum of Two Shillings and Sixpence for every Hide, Side, or Skin so branded to be recovered and applied as herein is before Directed

Inspectors intentionally branding Tanned Hides & not Merchantable

to forfeit 2-6 per hide

And be it further Enacted that the Comptrollers of the several Ports in this Province for the time being, shall every Six Months Account with and Transmit to the Treasurer the Amount of the duties and Forfeitures paid and arising from and by Virtue of this Act and that the said Treasurer shall yearly and every Year State an Account of the same by him Received and lay the same before the General Assembly and shall place the neat Produce thereof to the Credit of the Publick—

That the Comptroller of the several Ports

do every 6 months Account with the Treasurer

And be it further Enacted that if any Action or Suit shall be brought or Commenced in any Court of Record in this Province against any Person or Persons Whatever for any Act matter or thing done or to be done by him or them by Virtue of and in Pursuance of this Act it shall and may be lawful for Such Person or Persons so sued to plead the General Issue and give this Act and the Special Matter in evidence and in case the Plaintiff or Plaintiffs in such Action or Suit shall discontinue become nonsuit or a Verdict shall pass against him or them the Judge and Judges of Such Courts shall Tax and allow

Any Actions commenced against any person

for any thing done by virtue of this Act

such person may plead the general Issue

allow to such defendant and Defendants his and their double Costs of suit for which every such defendant and defendants shall have the same Remedy as in other Cases when Costs by Law are given to defendants and that this Act shall be deemed and taken as a Publick Act

to continue in force two years

AND BE IT FURTHER ENACTED that this Act shall be and Continue in force for and during the space of Two Years from and after the passing thereof and from thence to the end of the next Session of the General Assembly and no Longer—

By Order of the Commons House
of Assembly
WILL^m YOUNG Speaker

By Order of the Upper House of
Assembly
JAMES HABERSHAM President

Council Chamber
29^th September 1773

Assented to
JA WRIGHT.

State

(State Archives.)

AN ACT

Title

To empower the Commissioners of the General Loan to Stamp Reprint Sign and Issue paper Bills of Credit to the Amount of Five Hundred and Twenty pounds Sterling being in Lieu of that Sum Received by them as Interest Money Unappropriated (the Bills of which are Obliterated and Decayed) by Virtue of An Act Entitled, An Act for Stamping Imprinting, Issuing and Making Current the sum of Seven thousand four hundred and Ten pounds in Paper Bills of Credit and for applying and sinking the same and for Appropriating the said sum of five hundred and twenty pounds in Aid of the General Tax for the Service of the Year One thousand seven Hundred and Seventy three And Also to Reprint Sign and Issue the further Sum of Seventy three pounds for other purposes therein Mentioned—

Preamble

WHEREAS there Remains in the Hands of the Commissioners of the General Loan the sum of One Hundred and thirty pounds per Annum Interest Money Unappropriated since the Seventeenth day of February One thousand seven hundred and Sixty Nine Received by them by Virtue of An Act Entitled "An Act for Stamping, Imprinting, Issuing and making Current the sum of Seven thousand four Hundred and

Ten

Ten pounds in Paper Bills of Credit and for applying and Sinking the same" amounting in the whole to the Seventeenth day of February last Inclusive to the sum of Five hundred and twenty pounds Sterling And Whereas it appears from a Report of the said Commissioners of the General Loan that the paper Bills of Credit Received by them for the said Unappropriated Interest Money are become Totally defaced, Obliterated and decayed We therefore Pray your most Sacred Majesty that it may be

Enacted

Enacted And be it Enacted by his Excellency Sir James Wright Baronet Captain General and Governor in Chief of the Province of Georgia by and with the advice and consent of the Honorable Council and the Commons House of Assembly in General Assembly met and by the Authority of the same that the said Commissioners of the General Loan may and shall and they are hereby Authorized empowered and Required to Stamp Reimprint Sign and Issue to the Publick Treasurer immediately after the passing of this Act Paper Bills of Credit to the Amount of Five hundred and twenty pounds Sterling in lieu of that sum Received by them as Interest Money and since become Totally Obliterated and decayed

That the Commissioners of the General Loan are required to print

Paper Bills of Credit to the amount of £520

in Lieu of Bills Obliterated

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said sum of five hundred and Twenty Pounds Sterling so to be Issued as aforesaid

That the said sum is to go in aid of the General Tax

aforesaid shall be applied to and go in aid of the General Tax for the Service of the present Year

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Bills so defaced, Oblit- erated and decayed shall by the said Commissioners be laid before a Committee of the General Assembly when appointed for that purpose and be by them burned and destroyed—

That the said defaced Bills be destroyed

AND WHEREAS it has been set forth and Made appear upon Oath by John Mulryne Esquire of the Parish of Christ Church that by an Accident of fire he Sustained a Loss of Sixty pounds in the said paper Bills of Credit And Whereas it has also been set forth and made appear upon Oath by John Francis Rainier of the Parish of Saint Mathew that by an Accident of Fire he also sustained a Loss of thirteen pounds in the said Bills of Credit BE IT THEREFORE ENACTED by the Authority aforesaid that the said Commissioners of the General Loan may and shall and they are hereby Authorized empowered and Required immediately after the Passing of this Act to Stamp Reimprint sign and Issue to the said John Mulryne Esquire paper Bills of Credit to the Amount and in lieu of the said sum of Sixty pounds so destroyed by Fire as aforesaid and also to Stamp Reimprint Sign and Issue to the said John Francis Rainier Paper Bills of Credit to the Amount and in lieu of the said Sum

That the Commissioners do stamp & Issue £60 to John Mulryne Esq

in lieu of said Sum destroyed by fire

& to John Francis Rainier £13 also destroyed by fire

Sum of Thirteen Pounds also so destroyed by fire as aforesaid

By Order of the Commons House of Assembly

WILL^m YOUNG Speaker

By Order of the Upper House of Assembly

JAMES HABERSHAM President

Council Chamber
29^th September 1773

Assented to

JA. WRIGHT

(State Archives.)

AN ACT

Title

For Granting to his Majesty the sum of Four Thousand Two Hundred and Ninety Nine pounds and for empowering the Commissioners therein named to Stamp imprint, sign, and Issue paper Certificates to the Amount of the said Sum for the uses and purposes therein Mentioned

Preamble

WHEREAS no Tax Act has been passed in this Province

Paper Certificates.

Province since the Tenth of May One thousand seven hundred and Seventy which makes it necessary at this time to raise a Very Considerable Sum And Whereas the Tax laid for Several Years before was not duly and Wholly Collected by Reason whereof there is a great deficiency and a large Sum of Money now Remains due and unpaid to the Treasurer and Sundry Certificates Issued by Virtue of Several Laws of this Province and otherwise which Ought to have been called in and sunk are still out and Circulating, That is to say The Sum of One Hundred and Ten pounds being the Ballance of Certificates not provided for issued pursuant to An Act passed the Twenty fourth of April One thousand Seven Hundred and Sixty Entitled an Act for Raising and Granting to his Majesty the Sum of One thousand One Hundred pounds Sterling for putting the Town of Savannah and the out forts in the several Parishes of this province in a better State of defence, Also the sum of Fifty Nine pounds being the Ballance of Certificates not provided for issued pursuant to an Act passed the Ninth of June One thousand seven hundred and Sixty one Entitled An Act for Raising and Granting to his Majesty the sum of One hundred and Eighty pounds to repair the Light House on Tybee Island and for Laying a duty on Negroes that have been above Six Months in any of the Islands or Colonies in America and imported for Sale into this Province—Also the Sum of Four hundred and Seventy two pounds Eight Shillings and one penny half

half penny being the Ballance of Certificates not provided for issued pursuant to an Act passed the Nineteenth December One thousand Seven hundred and Sixty one Entitled an Act for Raising and Granting to his Majesty the sum of Four Hundred and forty pounds Sterling for erecting a Fort on the Island of Cockspur in the River Savannah and the sum of One Hundred pounds Sterling for erecting a look Out and battery on Midway River and for empowering Commissioners to Issue Certificates for the said Sum and for Sinking the same by a Tax of Ten Shillings Sterling on every hundred pounds Value of Deer Skins and Beaver Skins exported from or taken or Carried out of this province to any part of his Majestys Dominions except to Great Britain only, Also the sum of Four Hundred and Seventy pounds being the Ballance of Certificates not provided for Issued pursuant to An Act passed the Twenty fifth of March One thousand Seven Hundred and Sixty five Entitled an Act for Building a Fort and Barracks within the same on the Lands Reserved for the use of the Publick Near the Town of Augusta in the parish of Saint Paul, a Guard House in Savannah, and Repairing the Barracks in the fort in the Town of Frederica on the Island of Saint Simon and for Granting to his Majesty the sum of Six hundred and fifty pounds, Sterling to defray the Expence of the same, Also for appointing and empowering Commissioners to Issue Certificates for the said purposes, Also the sum of Seven hundred and Eight pounds

pounds being the ballance of Certificates not provided for Issued pursuant to an Act passed the Sixth of March One thousand seven hundred and Sixty Six Entitled An Act for encouraging Settlers to come into the province and for Granting to his Majesty the Sum of One thousand eight Hundred and fifteen pounds Sterling to be issued in Certificates by the Commissioners herein named for the said purpose and also for Rebuilding the Court House in Savannah in consequence of an Act of the General Assembly passed the Twenty Ninth of February One thousand Seven hundred and Sixty four Also for the Sum of Two Thousand four hundred and thirty pounds being the ballance of Certificates not provided for Issued pursuant to an Act passed the Tenth of May One thousand Seven Hundred and Seventy Entitled an Act for Granting to his Majesty the Sum of Three Thousand Three Hundred and Fifty five pounds Nine Shillings and one farthing for the use and Support of the Government of Georgia for the Year One thousand seven Hundred and Seventy to be Raised at certain Rates after the Method therein Mentioned, for the More Effectual Collecting of Arrears and for Exempting the Parishes of Saint David, Saint Patrick, Saint Thomas and Saint Mary they not being Represented. AND WHEREAS a Sum not exceeding Forty Nine pounds Eleven Shillings and Ten pence halfpenny will be necessary for the purpose of defraying the expence of Imprinting the Certificates hereafter Mentioned and otherwise

wise carrying this Act into Execution, amounting in the whole to the sum of Four thousand Two Hundred and Ninety nine pounds

And Whereas it is Expedient that the Said Certificates should be all called in and sunk and that the said deficiencies or Monies due to the Treasurer should be all made good and paid off And Whereas the whole sum due for the Expences of Government from the Twenty Ninth of September One thousand seven hundred and Seventy to the Twenty ninth of September One thousand seven Hundred and seventy three and Also a sum Sufficient to pay and make good the deficiencies in collecting the former Taxes Cannot be raised and Levied in one year without laying too heavy a burthen on the Inhabitants for Remedy whereof and to the end that Justice may be done and publick Credit duly Supported We pray your most Sacred Majesty that it may be Enacted And be it Enacted by his Excellency Sir James Wright Baronet Captain General and Governor in Chief of the Province of Georgia by and with the advice and Consent of the Honorable Council and Commons House of Assembly of the said province in General Assembly met and by the Authority of the same that the Sum of Four thousand Two hundred and Ninety nine pounds be granted unto his Majesty and that the same shall be issued in Certificates and that it shall and may be lawful to and for the Commissioners hereafter named and appointed and they are hereby Authorized, empowered

Enacted

That the sum of £4299 be granted to His Majesty & shall be issued in Certificates

empowered and required Immediately after the passing of this Act, to Stamp Imprint and Sign paper Certificates to the Amount of Four Thousand Two hundred and Ninety nine pounds and with such device as the said Commissioners shall think proper and shall be of the Tenor and in the words and figures Following

Commissioners empowered to print the same

"This Certificate Entitles the bearer to the "sum of Twenty Shillings being Issued for the "purposes Mentioned in an Act Entitled an "Act for Granting to his Majesty the sum of "Four Thousand two hundred and Ninety nine "pounds and for Empowering the Commission-"ers therein named to Stamp imprint Sign and "Issue paper Certificates to the Amount of the "said Sum of Four Thousand two hundred and "Ninety nine pounds for the uses and purposes "therein Mentioned and is to be Received in all "payments made to the Treasurer of this prov-"ince only and from any person carrying the "same to the Treasurer to be Exchanged for "Current Money until the Twenty Ninth day of "September One thousand seven hundred and "Seventy Six and no longer and if not brought "in to the Treasurer to be Exchanged by that "time the Publick of this province will not be "liable to make provision for the same"

The Certificate

AND BE IT FURTHER ENACTED by the Authority aforesaid That the Honorable Noble Jones and James Edward Powell Esquires The Honorable Wm. Young Esquire Noble Wimberley Jones, Joseph

Commissioners named

Joseph Clay, Thomas Shruder and Samuel Farley Esquires or any Five of them shall be and they are hereby Nominated and appointed Commissioners for Stamping imprinting Signing and issuing the said Certificates according to the true intent and meaning of this Act And in case of the Death or Refusal to Act, or removal from this province of any of the said Commissioners Other person or persons shall be appointed by the General Assembly or (during the prorogation or in case of a Disolution of the Assembly) by the Governor and Council in the room of those dying or Refusing to Act, or removing from this Province who shall have all and every the same trust and powers and be under the same Obligations as the Commissioners named in and by this Act.

The said sum to be sunk by the General Tax

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Sum of Four thousand two hundred and ninety nine pounds Granted to His Majesty for the purposes before mentioned shall be sunk by the General Tax of this Province in the manner following That is to say,

The manner of sinking the same

the sum of One thousand Four Hundred and Thirty three pounds part of the Said Sum of Four Thousand two hundred and Ninety nine pounds to be sunk by the General Tax to be raised for the Service of the year of our Lord One thousand Seven hundred and Seventy four and the sum of One thousand Four hundred and thirty three pounds part of the Said Sum of Four thousand two hundred And Ninety Nine pounds

Paper Certificates.

pounds to be sunk by the General Tax to be raised for the service of the Year of our Lord One thousand Seven hundred and Seventy five and the Sum of One thousand four hundred and Thirty three pounds being the Remainder of the said Sum of Four Thousand Two hundred and Ninety Nine pounds to be sunk by the General Tax to be raised for the Service of the year of our Lord One thousand Seven hundred and Seventy Six

The Treasurer to call in the Old Certificates and exchange them

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Treasurer shall and he is hereby Required and directed immediately after the Receipt of the said new Certificates from the Said Commissioners to call in all and every the out Standing Certificates before mentioned and after exchanging the same, cause the said Old Certificates to be burnt in the presence of the whole or the Major part of the said Commissioners

persons forging such Certificates

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any person or persons whatsoever shall forge or Counterfeit any one or more of the said Certificates by this Act directed to be Stamped imprinted Signed and Issued or that shall utter any such forged or Counterfeit Certificate or Certificates knowing the Certificate or Certificates so uttered to be forged or Counterfeit—or Shall Council Advise, procure or any wise assist in the forging Counterfeiting Stamping imprinting or issuing any such false

Certificate

Certificate or Certificates or that shall engrave any plate or make any Instrument to be used in making such false or Counterfeit Certificate or Certificates, that then every such person or persons so offending and being thereof Lawfully Convicted shall be adjudged to be guilty of Felony, and shall suffer the pain of Death as a Felon without benefit of Clergy

to be adjudged guilty of felony & suffer death

By Order of the Commons
House of Assembly

WILL^m YOUNG Speaker

By Order of the upper House
of Assembly

JAMES HABERSHAM President

Council Chamber
29^th September 1773

Assented to

JA. WRIGHT

(State Archives.)

AN ACT

To prevent Counterfeiting the paper Money of Other his Majesty's Colonies or provinces in America.

Title

Whereas

.as the want of a sufficient Quantity of .ating Specia to Answer the purposes of C.mmerce or the Exigencies of the Government, hath Induced this and most Others of the British Colonies in America to circulate certain paper notes as a necessary Medium the Counterfeiting of which is usually made Felony in the Respective Governments where they are emitted And Whereas it is Supposed that evil minded persons may Establish presses in this province for Counterfeiting the paper Currency of other his Majestys Provinces or Colonies in America and by that means such Forged Bills may be thrown into Circulation with greatter Facility and Security to the Authors thereof and it being Judged Reasonable that Neighbouring Countries having Intercourse in Trade should provide as far as in them lies against the debasing of their Medium of Commerce. We therefore pray your most Sacred Majesty that it may be Enacted And be it Enacted by his Excellency Sir James Wright Baronet Captain General and Governor in Chief in and over his Majesty's Province of Georgia by and with the advice and Consent of the Honorable Council and Commons House of Assembly in General Assembly met and by the Authority of the same, that if any person or persons after the passing of this Act shall within this Province prepare, engrave Stamp or print, or cause or Procure to be prepared, engraved, Stamped or printed the Counterfeit Resemblance of any paper Money which now is or hereafter may be Circulated in payments

Preamble

That persons Counterfeiting any paper money

of the British Colonies in America

ments by Legislative Authority in any British Colony or plantation in America With Intention that such Counterfeit Paper Shall be passed in payments whether the same be so passed or not

hall Suffer Death

shall be adjudged a Felon and Shall Suffer Death without benefit of Clergy and if any person or persons shall in this province pay or Tender in payment any Such Counterfeit Money, knowing the Same to be Forged or Counterfeited Altered or erased, every Such person being Lawfully Convicted shall Forfeit the Sum of Two Hundred Pounds Current Money of this province, and shall be Imprisoned in the Common Goal for Six Calendar Months and during Such Imprisonment shall be Publickly Whipped three times

and if persons in this province pay such knowing it to be counterfeit

shall forfeit two hundred pounds

to continue in force five years

AND BE IT FURTHER ENACTED by the Authority aforesaid that this Act shall Continue and be in Force for the Term of Five Years and from thence to the end of the next Session of the General Assembly and no Longer

By Order of the Commons
House of Assembly
WILL^m YOUNG Speaker

By Order of the Upper House
of Assembly
JAMES HABERSHAM President

Council Chamber
29^th September 1773

Assented to
JA. WRIGHT

State

(State Archives.)

AN ACT

To Continue the Several Laws therein Mentioned and for Vesting Several Ferries in the Persons Mentioned in An Act Intituled An Act for Establishing Several Ferries in this Province in the persons therein Mentioned. Title

WHEREAS Several wholsom Laws of this Province are near Expiring and it is Expedient that they Should be further Continued We pray your most Sacred Majesty that it may be Enacted AND BE IT ENACTED by his excellency Sir James Wright Baronet Captain General and Governor in Chief of his Majesty's Province of Georgia by and with the advice and Consent of the Honorable Council and Commons House of Assembly in General Assembly met and by the Authority of the same Preamble Enacted

That an Act passed the 27th of March 1759 for the better Regulating Taverns Punch Houses and Retailers of Spirituous Liquors and further Continued by An Act passed the 4th of March 1762 and again Continued by An Act passed the 10th of May 1770 and to the end of the next Session of the General Assembly That an Act for regulating Taverns &c

And Also That an Additional Act passed the Twenty fifth day of March One thousand seven hundred and Sixty five to an Act Intitled an Act for the better Regulating Taverns Punch Houses and An Additional Act to the said Act

and Retailers of Spirituous Liquors which was to Continue and be in force for four years and further Continued by An Act passed the Tenth day of May One thousand Seven hundred and Seventy and to the end of the next Session of the General Assembly

An Act for regulating the Assize of Bread

And Also An Act passed the Eleventh day of April 1768 for Regulating the Assize of Bread which was to Continue and be in force for three years and from thence to the end of the next Session of the General Assembly and no longer

An Act to prevent Masters of Vessels from Carrying off persons in debt &c

And Also An Act passed the Twenty Seventh day of March One thousand Seven hundred and Fifty nine to prevent Masters of Vessels from Carrying off Persons in Debt from this Province which was to Continue and be in force for two years from the passing thereof and which was Amended and further Continued by An Act Intitled An Act to Amend An Act to prevent Masters of Vessels from Carrying off persons in Debt from this Province passed the first day of May One thousand seven hundred and Sixty which was to Continue and be in force for the Term of Three Years from the passing thereof, and from thence to the end of the then next Session of the General Assembly and Again Continued by an Act passed the Twenty Ninth day of February 1764 and further Continued the Twenty fifth day of March One thousand Seven Hundred and Sixty five, to the first day of November One thousand seven hundred and seventy

amended and continued

again Continued

and further Continued

and

and from thence to the end of the next Session of the General Assembly and no longer.

An Act for the punishishment of Vagrants &c

And Also An Act passed the Twenty Ninth day of February One thousand Seven hundred and Sixty four for the punishment of Vagabonds and other Idle and Disorderly persons and for Erecting Prisons or places of Security in the Several Parishes of this Province and for preventing Trespasses on Lands of the Crown or Lands Reserved for the Indians and for the more Effectual Surpressing and punishing persons bartering with the Indians in the woods which was to Continue and be in force for the Term of Two Years and further Continued by An Act passed the Twenty Sixth day of March One thousand Seven hundred and Sixty Seven, And Again Continued by An Act passed the Tenth day of May One thousand Seven hundred and Seventy, and to the end of the next Session of the General Assembly

and for preventing Trespasses on lands &c and punishing persons bartering with Indians

further Continued

again continued

An Act to Suppress Lotteries &c

And Also An Act passed the Twenty Ninth day of February One thousand Seven hundred and Sixty four to Surpress Lotteries and prevent other Excessive and deceitful gaming which was to Continue to be in force for the Space of Seven Years and to the end of the next Session of the General Assembly

An additional Act to The said Act

And Also An Additional Act passed the Twenty fifth day of March One thousand Seven hundred and Sixty five to An Act Intitled An Act to Surpress Lotteries and prevent other Excessive

sive and Deceitful gaming which was to Continue and be in force for the Space of Six Years and to the end of the next Session of the General Assembly

An Act to prevent the Spread of The small Pox

And Also An Act passed the Eleventh day of April One thousand Seven hundred and Sixty Eight to prevent as much as may be the Spreading of the Small Pox in this Province which was to Continue and be in force for the Term of Three Years and to the end of the next Session of the General Assembly—

An Act to prevent persons throwing Ballast &c

And Also An Act passed the Seventh day of April One thousand seven hundred and Sixty three to prevent persons throwing Balast or Rubish or Falling Trees into the Rivers and Navigable Creeks within this Province and for keeping Clear the Channels of the Same which was to Continue and be in force for the space of seven Years and to the end of the next Session of the General Assembly And Also an Act to amend the said Act passed the Twenty

and an Act to Amend the same

fifth day of March One thousand Seven hundred and Sixty five and to the end of the next Session of the General Assembly—

An Act to prevent frauds in laying out Lands

And Also An Act passed the Twenty fifth day of March One thousand Seven hundred and Sixty five to prevent frauds and Abuses in the Admeasuring and laying out his Majestys Lands in this Province which was to Continue and be in force for the Space of three years and again Continued by an Act passed the Eleventh day of

and again Continued

April

April One thousand seven hundred and Sixty Eight and further Continued by an Act passed the Tenth of May One thousand seven hundred and Seventy and to the end of the next Session of the General Assembly— further Continued

And Also An Act passed the Twenty fifth day of March One thousand seven hundred and Sixty five to amend An Act Intitled an Act to prevent private Persons from Purchasing Lands from the Indians and for preventing persons Trading with them without Licence which was to continue and be in force for three years and from thence to the end of the then next Session of the General Assembly and no Longer and further Continued the Eleventh day of April One thousand seven hundred and Sixty Eight and again Continued by An Act passed the Tenth day of May One thousand Seven hundred and Seventy and to the end of the next Session of the General Assembly An Act to prevent private persons from purchasing lands of the Indians further continued again continued

And Also An Act passed the Sixth day of March One thousand seven Hundred and Sixty Six for punishing Seamen and Mariners Neglecting or deserting their duty on Board their Respective Ships or Vessels and for preventing Seamen or Mariners from being harboured or Running in Debt which was to Continue and be in force for and during the Term of three years and further Continued by an Act passed the Tenth day of May One thousand seven hundred and Seventy and to the end of the next Session of the General Assembly— an Act for punishing Seamen &c and continued

And

Continued an Act for punishing Seamen &c and Continued

And Also An Act passed the Twenty seventh day of February One thousand Seven hundred and Seventy for the better Security of the Inhabitants by Obliging the male white Persons to Carry fire Arms to all places of Publick Worship which was to Continue and be in force for and during the Term of three Years and to the end of the next Session of the General Assembly

An Act for the better security of the Inhabitants by Obliging male Whites to Carry Arms &c

An Act to prevent Frauds in Selling Beef &c and further Continued

And Also An Act passed the Sixth day of March One thousand Seven hundred and Sixty Six to prevent Frauds and deceits in Selling Beef, Pork, Pitch Tar Turpentine and fire Wood which was to Continue and be in force for and during the Term of three Years and further Continued by An Act passed the Tenth day of May One thousand Seven hundred and Seventy, And to the end of the next Session of the General Assembly

An Act for the better regulating the Town of Savannah &c

and further Continued

And Also An Act passed the Sixth day of March One thousand Seven hundred and Sixty Six to Amend An Act for the better Regulating the Town of Savannah and the Common thereunto belonging and also to Authorize and empower the Church Wardens and Vestry of the parish of Christ Church to appoint a Beadel for purposes therein mentioned and further Continued by an Act passed the Tenth day of May One thousand seven hundred and Seventy and to the end of the next Session of the General Assembly

And Also An Act passed the Twenty Sixth day

day of March One thousand seven hundred and Sixty seven to Regulate the making of Cypress Oak and pine Lumber Staves and Shingles and to Ascertain the Quality thereof which was to Continue and be in Force for and during the Term of Two Years and further Continued by An Act passed the Tenth day of May One thousand Seven hundred and Seventy for one Year And to the end of the next Session of the General Assembly

An Act to regulate Lumber

and further Continued

And Also An Act passed the Twenty Sixth day of March One thousand Seven hundred and Sixty Seven to prevent the bringing into and Spreading of Malignant and Contagious Distempers in this Province to Oblige Masters or Commanders of Vessels going out of any port within the same first to Produce a past port from the Governor or Commander in Chief to prevent the Harbouring of Sick Sailors and others and for the Regulating and Well Ordering of the Lazaretto on the Island of Tybee which was to Continue and be in Force for and during the Term of Two years and further Continued by An Act passed the Tenth day of May one thousand Seven Hundred and Seventy for one year, And Also an Act Intitled an Act to Amend the said Act passed the Tenth day of May one thousand Seven hundred and Seventy: And to the end of the next Session of the General Assembly

An Act to prevent the bringing in & spreading Contagious distempers &c

and further Continued

and an Act to amend the same

And Also An Act passed the Seventh day of April

an Act for regulating a Workhouse

April One thousand seven hundred and Sixty three for Regulating a Work House for the Custody and punishment of Negroes and further

and further continued and amended

Continued by an Act Intitled an Act to Amend and Continue an Act for Regulating a Work House for the Custody and punishment of Negroes passed the Twenty Sixth day of March One Thousand Seven Hundred and Sixty Seven for three years and to the end of the next Session of the General Assembly—

An Act for Establishing and regulating Patrols

And Also An Act passed the Eighteenth day of November One thousand seven hundred and Sixty five for the Establishing and Regulating Patrols and for preventing any person from purchasing provisions or any other Commodities from or Selling Such to any Slave unless such Slave shall produce a Ticket from his or her Owner Manager or Employer which was to Continue and be in force for and during the Term of three years and further Continued the

and again Continued

Twenty fourth day of December One thousand seven hundred and Sixty Eight and again Continued by an Act passed the Tenth Day of May One thousand seven Hundred and Seventy and to the end of the next Session of the General Assembly

An Act to Amend and Continue an Act for Establishing Patrols

And Also An Act passed the Twenty fourth day of December One thousand seven Hundred and Sixty Eight to Amend and Continue An Act for Establishing and Regulating Patrols and for preventing any person from Purchasing Provisions

ions or any other Commodity from or Selling such to any Slave unless such Slave shall produce a Ticket from his or her Owner Manager or Employer which was to Continue and be in force for and during the Term of one Year and further Continued by An Act passed the Tenth of May One thousand Seven hundred and Seventy and to the end of the next Session of the General Assembly

and further Continued

And Also An Act to direct Executors and Administrators in the Manner and Method of Returning Inventories and Accounts of their Testators and Intestates Estates and for allowing them and all other persons who shall or may be Intrusted with the Care and Management of Minors and other Estates to Charge Commissions thereon passed the Twenty Ninth day of February One thousand seven hundred and Sixty four for seven Years and to the end of the next Session of the General Assembly—

An Act to direct Executors &c

And Also An Act for holding Special or Extraordinary Courts of Common Pleas for the Trial of Causes arising between Merchants dealers and others and Ship Masters, Supercargoes and other Transient persons passed the Seventh day of April One thousand seven hundred and Sixty three and Also an Amendment thereto passed the Sixth day of March One thousand seven hundred and Sixty Six and further Continued by An Act passed the Twenty Sixth day of March One thousand Seven hundred and Sixty seven for

An Act for holding Special & Extraordinary Courts &c

and an amendment thereto

and further Continued

for three Years and to the end of the next Session of the General Assembly

An Act to prevent fraudulent mortgages &c

And Also An Act passed the Twenty fourth of December One thousand seven hundred and Sixty Eight to prevent Fraudulent Mortgages and Conveyances and for making Valid all deeds and Conveyances Heretofore made with respect to any Defect in the form and manner of Making thereof with Certain Restrictions which was to Continue and be in force for and during the Term of Three years shall Severally and Respectively Continue and be in force for and during the Term of One Year from the passing of this Act and from thence to the end of the next Session of the General Assembly and no longer

Shall severally and respectively Continue & be in force for one year

And an Act for Establishing several Ferries

AND WHEREAS by a Certain Act passed the Eleventh day of April One thousand seven hundred and Sixty Eight Intitled An Act for Establishing Several Ferries in this Province and for Vesting the same in the persons therein named the said Several Ferries are Vested in the Several Persons in the said Act named for the Term of Five Years only

vested in the persons there in named for five years

And as the property of the ferries did determine the 11th April Enacted That the same be respectively vested in the persons in the said Act named

AND WHEREAS the property of the said Several Ferries in such Ferries did determine on the Eleventh day of April last Be it therefore Enacted by the Authority Aforesaid that the several Ferries in the said Act Mentioned shall be Respectively Vested in the Several persons in the

the said Act named for the Space of one year from the passing of this Act

By Order of the Commons
House of Assembly

WILL^m YOUNG Speaker

By Order of the Upper House
of Assembly

JAMES HABERSHAM President

Council Chamber
29^th September 1773

Assented

JA WRIGHT.

(State Archives)

AN ACT

To oblige Masters of Vessels and other Transient Persons importing Negroes or other Slaves, Goods, Wares, and Merchandizes to pay Tax for the same, and to compel persons directed to receive the Same to give Security for the due performance of their Office and for Monies that may be received by them by Virtue of any Act of this Province.

Whereas

Master of Vessels to Pay Tax.

WHEREAS Masters of Vessels, Supercargoes and other Transient persons, Import sundry Negroes and other Slaves Goods, Wares, and Merchandizes into this province for Sale, without contributing anything to the support of this Government for remedy whereof only and not to lay any Duty on Goods, Wares, and Merchandize or Manufactures imported from Great Britain, but merely to compel such Masters of Vessels, Supercargoes and other Transient persons as Import Goods into this province and vend the same to pay an Assessment on their Stock in Trade for the Support of this Government in proportion to the Tax or Assessment laid on Merchants and other Inhabitants of this province WE pray your most Sacred Majesty that it may be Enacted AND BE IT ENACTED by his Excellency Sir James Wright Baronet Captain General and Governor in Chief of his Majestys Province of Georgia by and with the Advice and Consent of the Honourable Council and Commons House of Assembly in General Assembly met and by the Authority of the same that from and immediately after the passing of this Act all Masters of Vessels, Supercargoes, and every other transient person and persons who shall Import into this province for Sale any Negroes or other Slaves Goods, Wares, or Merchandize not belonging to or consigned to any Person Resident in this province shall within Forty Eight Hours after his her or their Arrival in the said province deliver in upon Oath to the Comptroller of the Country

Duties

Duties at Savannah or the Comptroller at Sunbury or at any other out port that may hereafter be Established a Manifest or S[c]hedule of the several Negroes or other Slaves, Goods, Wares, or Merchandize by him her or them so Imported with the Prime Costs of Such Negroes and other Slaves, Goods Wares, and Merchandize. And the said Comptroller is hereby Required and Authorized to Administer to every such Master of a Vessel, Supercargo or other Transient persons as aforesaid the following Oath I AB do solemnly swear (or affirm as the Case shall be) that the Manifest S[c]hedule or Account by me now delivered, and given in, is a just and true Account of the Prime Costs or Value of all the Negroes or other Slaves Goods, Wares, and Merchandize by me imported for Sale on my own Account or on Account of any other person or persons whatsoever not being Resident in this province and that I have not made any fraudulent consignment of any part of the Negroes or other Slaves Goods, Wares, or Merchandize by me Imported to any person or persons or have directly or indirectly suffered or permitted to be put on shore or land or removed from on board any part thereof So help me God a Copy of which Manifest S[c]hedule or Account so given in and Certified by the Comptroller he she or they shall without Delay deliver to the Treasurer if at Savannah and if at Sunbury or at any other out Port to the Collector of the Country Duties and at the same time shall pay or give the said Treasurer or the said Collector

as

as the Case may be sufficient Security for the payment of the Tax due for the same according to the Rate of Two pounds Ten Shillings for every hundred pounds Value of Negroes or other Slaves Goods Wares or Merchandize so Imported to be paid within Two Months after Entry made for which Oath and Certificate the Comptroller shall and may take Three shillings and the Treasurer or Comptroller as the Case may be Two Shillings and Sixpence for the Bond and Entry

AND BE IT FURTHER ENACTED that in Case any Master of a Vessel Supercargo or other Person Importing Negroes or other Slaves Goods Wares or Merchandize as aforesaid shall Neglect or Refuse to deliver in a Manifest and Account thereof as before Required or take the said Oath when tendered or to pay or to give sufficient Security as aforesaid for the payment of such Tax as shall be due on the Negroes or other Slaves Goods Wares or Merchandize so Imported that then and in either of such Cases it shall and may be Lawful to and for any Justice of the peace for the said Province or any Parish thereof where the said Negroes or other Slaves, Goods Wares or Merchandize may be found upon Information of such Neglect or Refusal to him upon Oath made by any person or persons to Issue his Warrant under his Hand and Seal directed to any Constable or Constables Authorizing and Requiring him or them to take and seize all and every such Negroes, or

other

other Slaves, Goods, Wares or Merchandize that shall or may be so Imported and Exposed to Sale, and to lodge the same with the said Comptroller who is hereby Authorized and Required to set up the said Negroes or other Slaves, Goods, Wares and Merchandizes to Sale to the highest bidder at Public Outcry first giving Ten Days Notice thereof by Advertisement, And all Monies arising from such Sale, the Expence thereof deducted shall be paid and applied as herein after mentioned and directed.

PROVIDED ALWAYS and be it Further Enacted by the Authority aforesaid that where any part of the Negroes or other Slaves, Goods, Wares or Merchandize so Imported by any Master Supercargoe or other Transient Person as aforesaid shall Remain unsold or shall be reexported or bona fide consigned to any Inhabitant of this Province within six Months after the Importation thereof and not otherwise that then upon Oath thereof made to the Comptroller (which Oath he is hereby Impowered to Administer) that such consignment was not made with any fraudulent Intent to avoid the payment of the said Tax then and in that Case it shall and may be lawful for the Comptroller to Certify the same to the Treasurer or Collector as the case may be and the said Treasurer or Collector is hereby Authorized and Required to deduct the Value thereof out of the Gross Amount of the Account given in for which Security shall have been given as aforesaid and

to

to Receive Tax only for such part of the Negroes or other Slaves Goods Wares or Merchandize so imported as shall have been actually sold by such Master Supercargoe or other Person as a Transient Trader according to the True Intent and Meaning of this Act.

AND WHEREAS it may happen that such Transient Traders Importing Negroes and other Slaves, Goods, Wares, and Merchandize for Sale as aforesaid in order to avoid the Payment of the Assessment imposed by this Act may declare in their Manifest that such Negroes and other Slaves, Goods, Wares and Merchandize are consigned to Persons being Resident in this Province to the Great Imposition and Damage of the Publick BE IT THEREFORE ENACTED by the Authority aforesaid that all Masters of Vessels coming into this province and making Entries of their Cargoes on board their Respective Vessels as aforesaid shall in their Manifest particularly set forth the Quantity and as far as can be the Quality thereof and to whom the same is or are consigned And the Person or Persons to whom the same shall be consigned are hereby Required and Directed to make a particular Entry thereof in the Office of the Comptroller of the Country Duties and shall at the time of making such Entry take the following Oath before some Comptroller which Oath he is hereby Authorized and Required to Administer (Viz') I A B do solemnly swear (or affirm as the Case may be) that the Negroes or

other

other Slaves Goods Wares and Merchandize by me now entered on Board the C D Master from are bona fide on my own Account (or consigned to me for Sale or for Account of E F resident in this Province as the Case may be) and that I have not Received nor expect to Receive any Gratuity or Commission for entering same in my own Name, nor is the same entered in my Name in order directly or indirectly to evade or avoid the payment of the Tax imposed in and by an Act of the General Assembly of this Province, Intitled an Act to oblige Masters of Vessels and other Transient Persons importing Negroes or other Slaves, Goods, Wares and Merchandize to pay Tax for the same and to compel the Persons directed to Receive the same to give Security for the Due Performance of their Office, and for Monies that may be Received by them, by Virtue of any Act of this Province So help me God. And in Case such Comptroller shall Neglect to Administer such Oath to all Persons whatsoever making Such Entry as aforesaid that then such Comptroller shall for every such Neglect forfeit and Pay the Sum of Five Pounds to be Recovered by Action of Debt Bill, Plaint, or Information in any Court of Record in this Province and be to his Majesty to be applied as herein after Directed.

AND BE IT ENACTED by the Authority aforesaid that every Transient Person or Persons retailing any Spirituous or other Liquors without

without Licence either on Shore or on board any Ship or Vessel within any Port or harbour in this Province such Transient Person or Persons shall be and they are hereby made liable to the same Fines and Penalties as are directed to be inflicted on Persons Retailing Spirituous Liquors without Licence, by an Act intitled an Act for the better Regulating Taverns Punch Houses and Retailers of Spirituous Liquors.

AND WHEREAS considerable Sums of Money may come to the Hands of the Collector of the Country Duties or Treasurer of this Province by Virtue of this Act and of the several Acts imposing Duties within this Province BE IT THEREFORE ENACTED by the Authority aforesaid that the Treasurer shall enter into a Bond in the Secretary's Office of this Province with good and Sufficient Securities in the Sum of One Thousand Pounds lawful Money of this Province and the Collector or Receiver of the said Duties at the Port of Sunbury or at any other out Port that may hereafter be Established in this Province, The Sum of Five Hundred Pounds lawful money of this Province, to his Majesty his Heirs and Successors to the use of the said Province, to be disposed of as herein after directed conditioned for the due Performance of their Respective Offices and for their Accounting for such monies as shall be Received by them by Virtue of this or any other Act or Acts for imposing Duties within this Province and in Case any Treasurer Receiver or Collector

tor of the Public Duties of this Province that now are appointed to any of the said Offices shall not within one Kalender Month from and after the passing of this Act or in Case of any future Appointment immediately after his taking upon him the Execution of the said Office give or enter into such Security as herein before directed or shall after that time Receive any Sum or Sums of Money in pursuance of this or any other Acts of this Province shall forfeit to his Majesty for each and every such Offence the Sum of Fifty Pounds to be Recovered as herein before directed.

AND WHEREAS great Trust is Reposed in the Fidelity and Assiduity of the Comptroller of Country Duties BE IT THEREFORE ENACTED by the Authority aforesaid that each and every Comptroller of Country Duties that now is or may after after be Appointed for any Port in this Province shall before entering upon the Duty of their Respective Offices, give Bond in the Secretary's Office of this Province with good and Sufficient Sureties in the Sum of Five Hundred Pounds lawful Money of this Province to his Majesty his Heirs or Successors for the use of the said Province to be disposed of as is herein after directed Conditioned for the due and faithful performance of their Office according to the True Intent and Meaning of this Act and the said Comptroller shall be Subject to the Penalty of Fifty Pounds in case of his Executing the said Office before giving Security as aforesaid.

And

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Receiver or Collector of Country Duties for the Port of Sunbury or any out port that may hereafter be Established, impowered to Collect and Receive the Duties imposed by this or any other Acts of this Province shall once in every Six Months deliver to the Public Treasurer upon Oath (which Oath the said Treasurer is hereby impowered and required to Administer) a distinct Account of all Monies by him Received by Virtue or in pursuance of this or any other Act as aforesaid and shall then pay the amount thereof to the said Treasurer taking his Receipt for the same first deducting therefrom at the Rate of Five Pounds Per Centum for his Trouble in Receiving the same and for every Neglect of any Receiver or Collector of the Country Duties to make such Return and pay in the Duties so Received by him or them as aforesaid shall forfeit for each and every such Neglect the sum of Fifty Pounds to be Recovered as is herein before directed.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Monies arising from this Act shall be to his Majesty his Heirs and Successors to be paid into the Hands of the Public Treasurer and be applied in such Manner as the General Assembly shall direct. And all the fines forfeitures or Penalties imposed by this Act. shall be applied in manner following that is to say the one half to the Informer and the other half to be paid into the Hands of the

said

said Treasurer for the Purposes herein before mentioned.

AND BE IT FURTHER ENACTED by the Authority aforesaid that this Act shall Continue and be in force for and during the Term of Three Years from the passing thereof and from thence to the End of the next Session of the General Assembly and no Longer.

By Order of the Commons House Of Assembly.

WILL[m] YOUNG Speaker

By Order of the Upper House of Assembly

JAMES HABERSHAM President.

Council Chamber
29[th] September 1773

Assented to

JA: WRIGHT

(State Archives.)

AN ACT

For Granting to His Majesty the sum of Five Thousand one hundred and Seventy One pounds fifteen Shillings and tenpence half penny

Title

'penny for the use and Support of the Government of Georgia, for the Year One thousand seven hundred and Seventy three to be raised at certain Rates and after the Method therein mentioned, and for the more Effectual Collecting of Arrears.

Preamble

WE his Majesty's most dutiful and loyal Subjects the Commons House of Assembly of Georgia taking into our Consideration the Expences Necessary towards the Support of this Government for the present year, and having resolved to Supply the same Do by this Act Chearfully and Voluntarily give and Grant unto His Majesty the sum of Five thousand One hundred and Seventy one pounds fifteen Shillings and ten pence half penny to be raised levied and paid in the manner and for the purpose hereafter in this Act mentioned, and we do therefore Humbly pray your most Sacred Majesty that it may be Enacted

Enacted

AND BE IT ENACTED by His Excellency Sir James Wright Baronet Captain General and Governor in Chief of this His Majesty's Province of Georgia by and with the Advice and Consent of the Honorable Council and Commons House of Assembly of the said Province in General Assembly met and by the Authority of the same that the sum of Five thousand One hundred and Seventy One pounds Fifteen Shillings and ten pence half penny shall be raised, Levied and paid within the space of Six months from the passing of this Act and is hereby Granted to His Majesty for the Use and Support

That £5171" 15"10 1-2 be raised

in 6 months

for the support of this Government

Support of this Government in the manner as is herein after Mentioned and Directed.

And Be it further Enacted that towards raising of the said sum of five thousand one hundred and Seventy One Pounds Fifteen Shillings and Ten pence half penny the several Rates and Sums following shall be Rated and Assessed as herein after Mentioned

how the same is to be raised

That is to Say the Sum of Two Shillings and Sixpence on Every Hundred Acres of Land in this Province holden and possessed by Grant by any person or persons Whatsoever. The sum of Seven Shillings and Sixpence on every hundred pounds Value on all Lots in the Town of Savannah Ebenezer, Augusta, Frederica, Sunbury, Hardwick, and Brunswick Wharf Lots, and Lots laid Out on Lands commonly called Yamacraw the Trustees Gardens and Ewensburgh The sum of Five Shillings on every hundred pounds value of Buildings and improvements on the said Lots The sum of Two Shillings and Six pence on every Negro or other Slave whatsoever being within the Limits of this Province The sum of Twenty Shillings on every Free Negroe Mullattoe or Mustee above the Age of Sixteen years the Sum of Seven Shillings and Six pence per Hundred Pounds Value of all Goods wares and Merchandize imported into this Province with intent to Sell again from the first of March One thousand seven hundred and Seventy two to the first of March One thousand seven hundred and Seventy

enty three by any merchant Factor Store keeper or other person whatsoever the sum of five Shillings per hundred pounds value of all Goods wares and Merchandize imported into this Province from the 1st March 1770 to the first March 1772 with intent to sell again by any Merchant Factor Storekeeper or other person whatsoever who imported Goods wares and Merchandize during that period and has not imported any since the said 1st March 1772 and the sum of two Shillings and Six pence per hundred pounds value of all goods wares and Merchandize imported into this Province from the first of March 1770 to the 1st of March 1771 with intent to sell again by any Merchant Factor Storekeeper or other person whatsoever who imported Goods wares and Merchandize during that period and has not imported any since the said 1st March 1771 to be rated at the price thereof as imported (Goods Wares and Merchandize imported by transient persons only excepted) which several Sums to be assessed on goods wares and Merchandize is not intended as a Tax or duty on goods imported but meant and intended as an assessment on every persons Stock in Trade so that persons in trade Shop keepers and others may Contribute equally towards the support of Government, and five Shillings on every hundred pounds value on the Costs of all goods wares and Merchandize bought within this province with an intent to Sell again either at Private Sale, Publick Outcry Auction Vendue or otherwise to be rated at the

the price given by Such purchaser or purchasers The sum of Twelve Shillings and Sixpence on every Hundred pounds let or lying at Interest by Choice All lands whereon any Churches or Other Buildings for Divine Worship or for Charitable uses are Erected and Lands Slaves or Monies belonging or appertaining to or going with such buildings Excepted The Sum of Twenty Shillings on every Hundred pounds value on the Saleries provided by the Legislature of this Province and Profits of all Publick Officers and professions Except that of Divinity

that the sum in the Treasurers hands of

AND BE IT FURTHER ENACTED by the Authority aforesaid that the sum of Two hundred and four pounds Twelve Shillings and Sixpence now remaining in the hands of the Publick Treasurer being the Ballance of the Sums of One hundred and twenty-five pounds One Hundred pounds making together the sum of Two hundred and twenty five pounds formerly granted to his majesty and appropriated for the purpose of Building a Brick Wall round the state house shall be Applied in aid of the General tax to be raised for the service of the Present year

£225

be applied in aid of the General Tax

Enquirers & Assessors appointed

AND for the More Effectual carrying this Act into Execution and that each and every Town and District may be equally rated and assessed and for that end and Purpose BE IT FURTHER ENACTED by the Authority aforesaid that the following persons shall be and they are hereby appointed

appointed Enquirers and assessors for the several Parishes herein after mentioned respectively That is to Say for the Town of Savannah Hamlets of Yamacraw Ewensburgh and the Trustees Gardens and the Parish of Christ Church Philip Box, John Smith and James Mossman Esquires, For the town of Ebenezer and Parish of St. Matthew Jacob Cronberger the younger Joseph Schubtrien and John Flerl, For Halifax and parish of Saint George John Thomas, Peter Shand and David Lewis Esquires, For the Town of Augusta and Parish of Saint Paul James Grierson, John Walton and Henry Downes Esquires For the Parish of Saint Philip William Maxwell and John Harn; For the Town of Sunbury and Parish of Saint John John Graves, Esquire, William Peacock and Samuel Saltus, For Darien and Parish of Saint Andrew James Forrester Esquire Andrew Maybank and James M^{c}Clelland, For Frederica and Parish of Saint James James Spalding and James Bruce Esquires and Raymond Demere Sen^{r}, For the Parish of Saint David, James Spalding and James Bruce Esquires, for the parish of Saint Patrick and Saint Thomas Arthur Carney Esquire James Lemon and Josiah Cantey for the Parish of Saint Mary, Sampson Ball and William Armstrong, Which said Assessors are hereby Strictly enjoined and required with all care and diligence, equally to rate and assess according to the best of their knowledge and ability upon all money at Interest Salaries and Profits

for the Town of Savannah &c

For Ebenezer

Parish of St Matthew

for the parish of St George

for the Parish of St Paul

Parish of St Philip

Parish of St John

Parish of St Andrew

Parish of St James

Parish of St David

of St Patrick & St Thomas

Parish of St Mary

The duty of the Enquirers

of

of all Publick officers and professions (except that of Divinity) goods imported, Town and other Lots and improvements thereon and within two months next after the passing of this Act return their assessment in writing to the Collectors of the said respective Parishes Township or district for which they are hereby respectively appointed and if any Assessor so appointed shall refuse or neglect to serve or shall make default at the time appointed for his Appearance and delivering in such assessment to the said Collectors (not having lawful excuse to be made Out by Oath) or shall not perform his duty every such assessor shall for every such neglect refusal or default forfeit and pay the sum of thirty pounds to be recovered by warrant under the hand and Seal of the Publick Treasurer, and distress and Sale of the Goods and Chattels of Such assessor neglecting refusing or making default

Assessors refusing to Act

(without a lawful excuse)

to forfeit £30

how recovered

And be further Enacted That all and every person and Persons whatsoever having any Estate interest in any Lands Tenements, goods or Chattels within this province shall on or before the second Tuesday of January next after the passing of this Act Tender a particular account in writing upon Oath or Affirmation if a Quaker to the best of his her or their knowledge unto the Collectors of the several Parishes where he she or they shall respectively reside of all Lands Lots, Houses Slaves Monies at interest Goods and effect whatsoever whereof he, she or they

all persons Interested

before the 2nd Tuesday in Jany

Tender an Acct to the Collectors of their Lands &c

is

is or are seized or possessed of or interested in liable by this Act to the rates and Taxes aforesaid and where situate And being and of all deer Skins and Beaver Skins by him her or them Exported or sent out of this Province except in Ships bound to Great Britain at such time and place as the Collectors herein after named shall respectively direct and appoint who are hereby required to give at least Twenty days notice thereof by Publick Advertisement Specifying the several rates aforesaid and all and every the said person & persons so giving an Account as aforesaid shall at the same time pay to the said Collectors The Several Sums and Taxes due from him her or them thereupon as by Act rated and assessed

The Collectors are to Administer an Oath

AND BE IT FURTHER ENACTED that the said Collectors respectively shall and they are hereby required to administer the oath following to all and every Person and persons at the time of receiving his her or their Account first entering such account in the List or Schedule agreeable to the form to this Act annexed whereto the persons so paying their Tax shall respectively Subscribe their names in the Column of the said Schedule for this purpose Assigned I.

The Oath

A. B do solemnly Swear (or affirm as the Case may be) in the Presence of Almighty God that the Account now by me Given and delivered to the Collectors of the Publick Tax doth contain a Just true and Particular account of all the Lands, Town Lots, Houses and Slaves whereof

I am in any wise seized, possessed, Intitled unto or interested in either in my own Right or as Attorney, Guardian Executor or Administrator or Trustee to any other person or persons whatsoever, and of the Amount of the prime Costs of all Goods, wares and Merchandize by me imported with Intent to sell again or Consigned to me for sale on Commission or bought by me in this province with intent to sell again, And of all Deer Skins and Beaver Skins by me Exported or sent out of this province except in Ships bound to Great Britain from the first day of March One thousand seven hundred and Seventy exclusive to the first day of March One thousand seven hundred and Seventy One Inclusive or from the 1st of March 1770 Exclusive to the first of March 1772 inclusive or from the first of March 1772 Exclusive to the 1st March 1773 Inclusive (as the Case may be) the produce of this province and goods Exported as a remittance only excepted and also of all monies let or lying at Interest by Choice in this Province either in my Own Right or in the Right any Other person or persons whatsoever So help me God.

Persons liable to pay Tax

AND BE IT FURTHER ENACTED that for the more Effectual recovery of the Arrears of every preceeding years Tax all and every the said person and persons hereby liable to the payment of the Tax by this Act imposed shall at the time of giving in his, her or their account as herein before required produce to the Collector or Collectors

to produce receipts of what they formerly paid or declare the same upon Oath

a receipt for the preceeding years Tax or Otherwise declare upon Oath (or affirmation as the case may be) which the Collectors hereby appointed are severally and respectively Authorized and required to Administer That he she or they hath or have paid the Publick Tax for every preceeding Year agreeable to the Rates thereof, and in Case such person or persons shall be in arrears for any preceeding years Tax, he she or they shall then give an Account thereof upon Oath and pay the same to the Collectors Accordingly, in failure whereof the same shall and may be rated Assessed and levied as herein after provided

persons not paying their Taxes

AND BE IT FURTHER ENACTED that in case any person or persons who shall give an Account of their Lands, Slaves and Effects as herein before required and shall not at the same time pay the Tax thereupon due from him her or them as herein before directed or within thirty days after such account by him or them so given that then it shall and may be lawful to and for the several Collectors and they are hereby respectively required to cause the same to be levied in manner as herein after mentioned

The Collectors are required to levy the same

Persons neglecting to give an Acct of their Lands &c

AND BE IT FURTHER ENACTED That if any person or persons whatsoever shall neglect or refuse to give an Account of their respective Lands Lotts Houses Slaves Monies let or lying at Interest by Choice Goods and effects as aforesaid at the time and in the manner as by this act

is

is herein before directed the Collectors Respectively and either of them shall and they are hereby Severally authorized and required within Ten days after the said Second Tuesday of January next to rate and assess every such Defaulter and Defaulters double the Tax which he she or they shall have paid for the last year or to the best of his or their knowledge for double the Estate which he she or they shall possess and in Either case shall cause the same to be levied as herein after is Directed.

The Collectors may rate them Double Tax

And to prevent free mullattoes from evading the payment of the Tax by Pretending to be Spaniards or other foreigners Be it further Enacted that every such person who shall be reputed a Mulattoe shall be assessed as such unless he or she can prove the Contrary

To prevent free Mullattoes evading the Tax

every person pretending to be Spaniards are to be reputed Mullattoes unless they prove the Contrary

AND BE IT FURTHER ENACTED that the several rates and Taxes hereby rated and imposed shall be levied on the Goods and Chattels of the defaulter or defaulters by Warrant under the hand and Seal of the Collector or Collectors of the Parish wherein such Defaulter or Defaulters shall reside to be directed to any Constable or Constables thereof requiring him or them to levy the same by Distress and sale of the Defaulter or Defaulters Goods and Chattels returning to him or them the overplus if any after Deducting the Charges following Viz' for serving of every Warrant of Execution One Shilling, One Shilling in the pound for every pound lev-

how the rates & Taxes are to be Levied

ied

ied and two pence for every mile to be Computed from the dwelling house of the Constable levying the same to the place of residence of every such defaulter or defaulters and the Collectors respectively shall and may take One Shilling and Sixpence for every such Warrant and every Constable refusing or neglecting to execute such Warrant or neglecting or refusing to pay over the Money so levied to the Collector or Collectors within three days from the receipt thereof, shall for every offence forfeit and pay the sum of Twenty five pounds to be recovered by Warrant of distress of any Justice of the Peace where the offence shall be Committed on due proof thereof made before him by any Collector or Collectors and in case no goods or Chattels of Such offender shall be found whereon the said distress may be levied then it shall and may be lawful for such Justice of the peace to Commit such offender to the nearest Common Goal there to remain for the space of three months or untill the said sum of Twenty five pounds for each offence neglect or refusal be satisfied

Collectors named vizt

AND BE IT FURTHER ENACTED that the several persons herein after named shall be and they are hereby Appointed Collectors for the several Parishes herein after mentioned respectivly, That is to say for the town of Savannah and parish of Christ Church William Ewen Esquire and Henry Lewis Bourquin, For the Town of Ebenezer and Parish of Saint Matthew, Jacob Walthour

For the Parish of Christ Church

thour Esquires and Robert Hudson, For Halifax and parish of Saint George John Thomas Peter Shand and David Lewis Esquires For the Town of Augusta and Parish of Saint Paul Robert Mackay and William Goodgion Esquires, For the Parish of Saint Philip, William Belcher Esquire William Maxwell and John Harn, For the Town of Sunbury and Parish of Saint John, John Jones Esquire John Sandiford and Josiah Bacon, For Darien and Parish of Saint Andrew James Forrester Esquire and Andrew Maybank For the Town of Frederica and Parish of Saint James, James Spalding and James Bruce Esq[es] For the Parish of Saint David James Spalding Esquire and Jacob Helvestine, For the Parish of Saint Patrick and parish of Saint Thomas Arthur Carney Esquire, James Lemon and Josiah Cantey, For the Parish of Saint Mary Sampson Ball and William Armstrong Which said Collectors respectively shall before their entering upon their office take the Oath following before any Justice of the Peace That is to say "I. A B do Solemnly "Swear that I will well and faithfully according "to the best of my knowledge and ability and so that the Publick Tax shall sustain no Loss or damage from any wilfull neglect or omission of mine Observe Execute and perform the several matters and things required of me to be done and performed in and by an Act of the General Assembly of this Province Intitled "an Act for Granting to His majesty the sum of five thousand one hundred and Seventy One pounds fifteen

St Matthew

Saint George

St Paul

St Philip

St John

St Andrew

St James

St David

of St Patrick & St Thomas

and for the Parish of St Mary

The Collectors to take an Oath before a Justice of Peace

The Oath

fifteen Shillings and Ten pence halfpenny for the use and Support of the Government of Georgia for the year 1773 to be raised at certain rates and after the method therein mentioned and for the more effectual Collecting of Arrears" according to the intent and meaning thereof So help me God Which Oath the said Justice is hereby Authorized and required to Administer accordingly and to give a Certificate thereof under his hand and Seal which shall be produced by the Collectors respectively at the time of their Delivering their Accounts to the Treasurer as hereafter is required

As the proprietors of Sundry Tracts of Land &c are not residents

AND WHEREAS there are sundry Tracts of Land, Lots, houses and monies the proprietors whereof are not residents in this Province Be it therefore further Enacted that all Attornies, Trustees Executors and Administrators or Other persons any wise Concerned for absentees shall make due return to the Collectors of the parishes respectively where they shall reside of the Estate and Effects they shall so possess or be Interested in, as Attornies, Guardians, Trustees, Executors or Administrators or Otherwise, and shall and they are hereby made liable to the payment of the Rates and Taxes assessed thereon out of their Own Estates and effects in manner as herein before Mentioned unless Such attorney or Attornies Guardian or Guardians, Trustee or Trustees shall make Oath before the Collectors or one of them that he has renounced his power and Attorneyship

their Attornies &c are to make due returns

and pay the Tax

unless they make Oath that they have renounced their Power

before

before the Tax became due and without any intent to evade the payment thereof, and every such attorney and Attornies Guardian and Guardians, Trustees, Executors and Administrators Shall and may deduct the Tax he or they shall so pay out of the effects of the Absentee in his her or their hands and in case of no such effects every such payment shall and is hereby made a debt and Charge upon the Lands and Chattels of every such absentee His heirs and assigns and shall and may Accordingly be recovered at any time afterwards by the person or persons paying the same his her or their Executors or Administrators in any of His Majesty's Courts of this Province.

That every person holding Lands in both Provinces

AND WHEREAS the Payment of the Publick Tax hath been evaded by persons settled in or near the Banks of Savannah River that hold or possess Lands on the opposite side thereof in the Province of South Carolina by removing their Slaves from this province at the time of Collecting the Tax for remedy whereof Be it further Enacted that all and every such person or Persons so holding Lands in both Provinces at the time of giving an account of his her or their Lands and Estate to the Collectors as herein before required shall produce to such Collector or Collectors a receipt or Certificate from the Collector or Collectors of Tax in South Carolina of the number of Slaves for which Tax shall have been paid by him her or them for the present year or Otherwise shall make Oath before the Collector

is to produce a receipt from the Collectors of South Carolina

or make Oath before the Collectors

The Oath

Collector or Collectors aforesaid to the effect following which they are hereby Authorized and required to administer Viz[t] That he she or they hath paid the Publick Tax in the Province of South Carolina for the present year for all his her or their slaves other than such as are Contained in the Account now delivered in to the Collector or Collectors as aforesaid pursuant to the directions of this Act, and all and every person and persons who shall refuse to produce such receipt or Certificate or to make Oath as aforesaid shall be liable to pay Tax for the whole number of his, her, or their Slaves, And the said Collector or Collectors shall in default of payment accordingly Issue Warrants of Execution for the same as herein before directed

Those refusing to produce a receipt or make Oath are liable to pay Tax

The Collectors to close their accots in 10 days after the second Tuesday in April

AND BE IT FURTHER ENACTED that the said Collectors respectively shall on or before the Second Tuesday in April next after the Passing of this act or within Ten days after, Close their Accounts and deliver the same in person together with the Tax list aforesaid, and also an Account of the Lands held by Absentees or persons not resident in the Parish unto the Publick Treasurer of this Province and at the same time shall pay unto him all such monies as by them or either of them shall have been respectively received in pursuance of this Act after deducting for Commissions at the rate of One Shilling for every pound and at the rate of Six pence per mile for every mile they reside distant from Savannah, and the said Collectors respectively

respectively shall sign the Tax List by them delivered and at the same time upon Oath shall deliver to the Treasurer an account of their Own Lands Slaves and Estates in like manner as by this Act is required of Others to be given to them and shall pay the Taxes for the same accordingly, in default whereof the same shall and may be assessed and levied by the Treasurer in manner as aforesaid

Conveyances made to avoid the Tax

AND BE IT FURTHER ENACTED that all deeds and Conveyances Whatsoever of any Lands Tenements goods or Chattels by any person or persons whatsoever made with an intent to Avoid being Assessed or paying Tax for the same as aforesaid Shall and are hereby declared to be fraudulent and Void to all intents and purposes whatsoever

declared Fraudulent

Penalty on Collectors refusing to Act

AND BE IT FURTHER ENACTED that the several Collectors or any or either of them who shall neglect or Refuse to do and perform the several Matters hereby required of them respectively to be done within the time prescribed by this Act shall for every such neglect or refusal forfeit the sum of fifty pounds to His Majesty for the support of this Government to be Sued for and Recovered by the Treasurer in the General Court in this Province

The Collectors of the present or former years neglecting or refusing to give in their Accounts

AND BE IT ALSO ENACTED that in case any Collector or Collectors of the present or any former Taxes shall refuse or neglect to give in upon Oath to the Treasurer a Just and true

true account of All monies received by him or them or due to his Majesty on account of the Tax herein Imposed or on account of any former Tax within their Several and respective districts by the time herein before Limited And also a list of all non residents whose Tax has not been paid and of all defaulters in the said district that then it shall and may be Lawful for the Treasurer and he is hereby enjoined under the penalty of Fifty pounds for each neglect or offence by Warrant directed to any Constable for the Parish where the Collectors may Respectively reside under his hand and Seal to committ such Collector and Collectors to the Common Goal in Savannah there to remain untill he or they shall have rendered upon Oath to the Treasurer a full and satisfactory account of and shall have paid all such Sums so as aforesaid by him or them Collected due to his Majesty in his or their several and respective districts by virtue of this or any former Tax act and have paid the reasonable Charges for such Committment; and the several Constables for the parish or district wherein such Collector or Collectors shall reside are hereby required to Execute such Warrant or Committment without any delay, and every Such Constable refusing or neglecting to execute such warrant or Commitment shall for every offence forfeit and pay the sum of thirty pounds to be recovered by Warrant of Distress from any Justice of the Peace in the Parish or District where the offence shall be Committed on a Certificate from the

how the Treasurer is to Compell them

the Treasurer of the manner of such Refusal or neglect and which Certificate is hereby declared to be Sufficient proof and in Case no Goods or Chattels of such offender may be found whereon the said distress may be levied then it shall and may be lawful for such Justice of the Peace to committ Such Offender to the Common Goal in Savannah there to remain for the space of three months or untill the said sum of Thirty pounds shall be satisfied Provided nevertheless that if the said Collector or Collectors shall prove upon Oath to the Treasurer that they have used every means directed by this Act for the recovery of the Tax due by the said defaulters and no effects could be found whereupon to levy the same, then and in that case the said Collector or Collectors respectively shall not be liable for or Chargeable with the payment of the Sums so due from defaulters as aforesaid

The Treasurer is in 30. Days after receiving the List of defaulters to Issue his Warrant against them

AND BE IT FURTHER ENACTED by the Authority aforesaid that the treasurer shall and he is hereby empowered and required within thirty days after he shall have received any List or Lists of defaulters to Issue Warrants under his Hand and Seal against each of the defaulters for such amount of Taxes *or Arrears of Taxes* as shall appear by the said returns to be due from such defaulters respectively whether the defaulters be such for themselves or as Attorneys or Agents for others or otherwise excepting as herein before excepted to be directed

directed to any lawful Constable or Constables for the parish where such defaulter or defaulters shall reside requiring him or them Immediately to levy the same by distress and sale of defaulter or defaulters Goods and Chattels returning to the said defaulter or defaulters the overplus if any after deducting the Charges following, for serving every Warrant One Shilling, One Shilling in the pound for every pound so levied and two pence for every mile the Constable shall go to Execute such Warrant to be computed from the dwelling house of the Constable to the place where the levy shall be made or sold, and the said Treasurer shall and may take for every such warrant, two shillings and Sixpence, and every Constable refusing or neglecting to execute such warrant shall for every Offence forfeit and pay the sum of Twenty five pounds to be recovered by warrant of distress of any Justice of the Peace for the Parish where such offence shall be committed on his receiving a Complaint and Certificate thereof under the hand and seal of the said Treasurer and all Justices of the Peace are hereby Strictly required and enjoined under the penalty of Thirty pounds for every refusal or neglect to be aiding and assisting unto the said Treasurer in duly carrying the directions herein Contained into execution and in case the said Treasurer shall neglect or refuse to issue such Warrant or Warrants he shall forfeit and pay for every offence the sum of fifty pounds to be recovered by ac-

tion

tion of debt Bill plaint or Information in the General court of this Province

if Constables in the parishes are not thought sufficiently responsible

AND BE IT FURTHER ENACTED by the Authority aforesaid that in case there shall not be in any Parish or parishes any Constable who may be thought sufficiently responsible to Execute the duties herein required by any Justice of the Peace to whom the Treasurer may think fit to enclose his Warrant it shall and may be lawful for such Justice of the Peace to appoint a Constable or Constables for the Special purpose or purposes herein before directed and such Constable or Constables shall be entitled to the same fees and liable to the same penalties as are herein before directed to be taken and Suffered by any Parochial Constable as aforesaid, And every Constable or Constables who shall receive any Taxes or arrears of Taxes by virtue of any Warrant or Warrants from the Treasurer as aforesaid is and are hereby Strictly directed and required within thirty days from the receipt thereof to pay over the same into the hands of the Justice to whom the Treasurer shall have enclosed his Warrant under the penalty of Twenty five pounds as aforesaid and such Justice of the Peace Personally paying the same unto the Treasurer shall for Such Service be allowed at the rate of Sixpence per mile Travelling Charges to be Computed from the house of Such Justice or Justices to the Town of Savannah.

the Justice to whom the Treasr encloses his Warrts may appoint Others

And

The Governor & Council to give Orders to the Treasurer to issue the Monies raised in the following manner Vizt

AND BE IT FURTHER ENACTED that the Governor and Council shall give an Order to the Treasurer for the time being who shall issue the monies raised and Granted as aforesaid in the following manner. That is to say.

For the Chief Justice and officers of the General Court Vizt

To the Chief Justice his Account Commencing Adjournment day of October Court 1769 and ending June Sessions 1773 (both Inclusive) pr Accott N 1. 2. 3 Eighty five pounds Eleven Shillings	85''	11''	--
To the Clerk of the Crowns Ditto Commencing and ending at the same time pr Ditto ninety pounds Six Shillings	90''	6''	--
To the Estate of William Grame late Attorney General for prosecuting fellons &c pr Account to December Sessions 1769 Inclusive as allowed four pounds four Shillings and nine pence	4''	4''	9

To

Tax Act.

To James Hume Esquire Attorney General for prosecuting fellons making Out Fiats for persons Settling in this province under the provincial Bounty &c pr his Account Commencing the 9th of February 1770 & ending in June 1773 (June Sessions Inclusive) pr Accounts No 1. 2. 3 One hundred and thirty eight pounds five Shillings and two pence half penny------	138'' 5'' 2 1/2
To the Estate of John Simpson late Acting provost Marshal for Maintainance of Prisoners &c from the 8 June 1771 to 30th April 1772 Fifty nine pounds Twelve Shillings and nine pence ----------	59'' 12'' 9
To Matthew Roche late Acting Provost Marshal for maintenance of Prisoners &c pr Accott from the 29 Septr 1769 to the time Mr Simpson deceased	

deceased took possession of the Goal being the 8th of June 1771 pr Accots N 1-5 One hundred and Eighteen pounds One Shilling and nine pence	118"	1"	9
Ditto for ditto &c from the time Mr Simpson died being the 19th Octr 1772 to the time the present Provost Marshal Lewis Johnson Esq took possession of the Goal being the 27th Janry 1773 pr Accott N° 6 Fifteen pounds three Shillings and ten pence	15"	3"	10
To Lewis Johnson Esqre Provost Marshal for maintainance Prisoners &c *p* his Accott from the 27th January 1773 to the 22nd June following pr Acct Thirty six pounds four Shillings and three pence	36"	4"	3
Ditto for so much paid by him to John McLuere Carpenter for repair-			

ing

Tax Act.

ing Goal *p* Account Eighteen pounds Thirteen Shillings and Seven pence	18''	13''	7
Ditto for so much paid by him to Frederick Fahm Blacksmith for putting Irons on prisoners as *p* Acco^{t} to 13th June 1773 Three pounds two Shillings & nine pence	3''	2''	9
Carried Over	£569''	5''	10 1/2
Brought forward	£569''	5''	10 1/2
Ditto allowed by the Commons House of Assembly to provide a Guard to be kept at the Goal to prevent one Prine a notorious Criminal from making his Escape Twenty five pounds	25''	--''	--
To the Provost Marshal for publishing Proclamations Executing Writes of Election and attending the Courts of Oyer & Terminer from the 29th Decem^{r} 1769 to			

the

the 29th Septemr 1773 being 3 years & nine months at Thirty pounds pr Annum to be paid to the several Provost Marshals in proportion to the time each of them have performed the services above mentioned One hundred & Twelve pounds ten Shillg ----------	112'' 10'' --
To the Cryer & keeper of the Court house for Executing said Office from 29th September 1770 to the 29th September 1773 being 3 years at Ten pounds *p* annum to be paid to the several Cryers in proportion to the time each or any of them have Executed sd office Thirty pounds ----------	30'' --'' --
To Thomas Ross for Supplying the Courts with Candles and Candlesticks and keeping Clean the Court house from the 15th August	

Tax Act.

1771 to 15th January 1773 *p* Acct Two pounds Six Shillings and Ten pence -------	2" 6" 10
To John Neidlenger for ringing the Bell for the General Courts from the 9th April 1771 to the 12th Janry 1773 (pr Certificate from the Judges) five pounds---	5" --" --
To James Whitefield Esqr Coroner for a Ballance due him *p* his Acct from the 14th December 1769 to the 31st July following Six pounds three Shillings & Eleven pence ----- ----------	6" 3" 11
Ditto for holding Sundry Inquests from the 9th December 1770 to the 9th September 1772 *p* Account Ten pounds Seventeen Shillings and nine pence ----------	10" 17" 9
Ditto for holding ditto from the 9th Sept 1772 to the 7th June 1773 pr	

Acct

Acc^{tt} Three pounds Six Shillings and Eight pence	3"	6"	8
To Edward Barnard Esq^{r} for holding an Inquest on the Body of John Kelly drowned at Augusta, One pound thirteen shillings and four pence	1"	13"	4
To Henry Downes Esq^{r} for holding an Inquest on the body of William Miller, shot 20 miles above Augusta pr Account Two pounds and Ten pence	2"	--"	10
Carried Over	£768"	5"	2 1/2
Brought forward	£768"	5"	2 1/2
To D^{r} Andrew Johnston for Examining the Body of the above mentioned William Miller Three pounds	3"	--"	--
To George Fraser surgeon for opening the body of Joseph Cox who was supposed to			

have

have been murdered near Abercorn Six pounds six Shillings--	6'' 6'' --
To Robert Baillie Esquire for holding an Inquest on the body of John Wilson (drowned in Brow Creek) One pound Ten Shillings --------	1'' 10'' --
To George M^{c}Intosh Esq^{re} for holding an Inquest on the body of Robert Jones & Hugh Mackay Three pounds -----	3'' --'' --
To Noble Wimberly Jones Esq^{r} for Attending sick prisoners in the Common Goal in Savannah p^{r} Acc^{tt} four pounds one Shill ----------	4'' 1'' --
To Frederick Fahm Blacksmith for putting Irons on Prisoners &^{c} from the 5th Jan^{ry} 1770 to the 27th December 1772 p^{r} his Acc^{t} N° 1. 2.3. Eight pounds nineteen Shillings & 3 1/2^{d}	8'' 19'' 3 1/2
To Joel Walker for apprehending	

prehending fellons and bringing them to the Common Goal in Savannah &c as pr Accts Nº 1-9 bearing date from August 1770 to April 1772 Fifty pounds nine Shillings & Sixpence ----------	50''	9''	6
To Hugh Magee for apprehending and bringing Arthur Lot to Savannah Goal pr Acct dated 16th June 1773 Three pounds Eighteen Shillings and Sixpence_	3''	18''	6
To John Long and John Davis for bringing Aaron Tilley to Goal pr Accott Attested 16th Decemr 1772 four pounds Six Shillings and Ten pence --------	4''	6''	10
To Samuel Tomlinson for apprehending and bringing Benjamin Dukes to Savannah p Accott 6th June 1772 four pounds nine Shillings and sixpence_____	4''	9''	6

To

To Turbefield Thomas for bringing Mark Lott Mary Peacock and Edward Pelcher to Savannah (p[r] Account 22 Feb[ry] 1771) Ten pounds, Ten Shillings_ 10" 10" __

To William Johnson for apprehending and bringing prisoners to the Common Goal in Savannah p[r] his Acc[tts] N 1. 2. 3 bearing date from the 30[th] November 1772 to 2[d] July 1773 Thirty one pounds five Shillings and Sixpence ____ 31" 5" 6

To John Bacon for apprehending and bringing to Savannah Samuel Wells, James Smith and William Shirley p[r] Acc[t] dated 8[th] May 1769 Twelve pounds Twelve Shills__ 12" 12" __

To Matt[h] Bittenback for Apprehending John Bowers & bringing him to Savannah in Aug[t]

Tax Act.

1770 p^{r} Acco^{tt} Nineteen Shillings & ten pence--	19''	10''	--
Carried forward -------	£913''	13''	2
Brought Over ----------	£913''	13''	2
To Jacob Blount for Apprehending John Powel and bringing him to Savannah the 28th July 1772 p^{r} Acco^{tt} Two pounds One Shilling---	2''	1''	--
To Henry Barefield for bringing 2 fellons & 2 Evidences to Savannah Goal p^{r} Acco^{tt} 28th July 1770 Two pounds------	2''	--''	--
Ditto for apprehending and bringing Abner Hands to d^{o} p^{r} Acc^{tt} 24th May 1771 Three pounds ten Shillings--	3''	10''	--
To William M^{c}Intosh for Sundry Services performed by him as Constable *p* Certificate from the Magistrates Three pounds Eighteen Shillings & four pence -- ----------	3''	18''	4

To

To William Nelson & John Broxon for apprehending Joseph Prine and bringing him from the Saltcatchers South Carolina *p* Acco^{tt} 10 January 1772 Eight pounds three Shillings and four pence ------	8" 3" 4
To John Glen Esq^{r} for a Negro man Executed belonging to him 8th March 1771 for a Robery valued at Thirty pounds -- ----------	30" -" --
To Mary Maxwell for a negro man named Crop ear'd Tom Condemned 18th October 1771 valued at Twenty five pounds -- ----------	25" --" --
To John Houstoun Esq^{r} for a negro man named George Executed for a Robery the 27th March 1773 Forty pounds ----	40" --" --
To the Estate of Charles Watson for three months Salary as Clerk of the upper house end-	

ing

ing 31st December at thirty pounds *p* Annum Seven pounds Ten Shillings -- ----------	7'' 10'' --
To Alex Wylly Esqr Clerk to the upper house of Assembly from the 1st January 1771 to the 26th September 1773 ditto pr Annum Eighty two pounds Ten shillings--	82'' 10'' --
Ditto for Copying Rough minutes of Council from the 3rd April 1770 to the	
Ditto for entering fair ditto from the 4th Novr 1766 (not being Entered by the former Clerk from that time) to 1st Janry 1773	
Ditto for Copying rough Journals of the upper house of Assembly from 10th May 1770 to the	
Ditto for Copying fair Journals of the upper house of Assembly from the 16th February 1768	

not

(not being Entered by the late Clerk from that time) to the			
Ditto for pens Ink Stationary & bound books &c from 1st Janry 1771 to 1st Janry 1773 pr Accott Three hundred and forty pounds One Shilling & nine pence	340''	1''	9
Carried Over	£1458''	7''	7
Brought forward	£1458''	7''	7
To the Estate of John Simpson late Clerk of the Commons house of Assembly for a Salary from the 26th Sept 1770 to the 25th June 1771 at thirty pounds pr Annum Twenty two pounds ten Shillings	22''	10''	--
Ditto for Copying Journals Entering Minutes Stationary and all Other Charges for that time One hundred and Twenty Seven pounds Ten Shillings	127''	10''	--

To

To Richard Cunnyngham Crooke Esq^{re} Clerk of the Commons house of Assembly a Salary from the 25th June 1771 to the 26th Septem^{r} 1773 being 2 years & three months at Thirty pounds p^{r} Annum Sixty Seven pounds Ten Shillings __ ----------	67'' 10'' __
Ditto for Copying Minutes and Copys of them to send to England drawing Bills and all other business already done or to be done this Session Three hundred & fifty pounds --------	350'' __'' __
To Robert Bolton Messenger to the Council & upper house of Assembly a Salary from the 29th September 1770 to the 29th Septem^{r} 1773 three years at Thirty pounds p^{r} Annum Ninety pounds __ ----------	90'' __'' __
Ditto for wood Candles Brooms keeping clean	

the

the Council Chamber and Sundry other Charges from the 29th September 1770 to the 29th September 1773 inclusive *p* Account Twenty four pounds Eight Shillings and Six pence----	24" 8" 6
Ditto for a Salary as messenger to the Committee of Correspondence one year five pounds--	5" --" --
To the Estate of Thomas Lee late messenger of the Commons house of Assembly a Salary from the 29th September 1770 to 29th Septemr 1772 two years at Twenty five pounds pr Annum fifty pounds---	50" --" --
Ditto for his trouble in fetching Button Gwinnett Esqr p Warrant the assembly being Disolved before he returned with Mr Gwinnett pr Accot Six pounds nineteen Shillings --------	6" 19" --
Ditto for sundry Expen-	

ces

ces sent at different times to the members of assembly with letters (Mr Bolton at his Lee's directions or Order) as messenger p Acctt Ten pounds nineteen Shills	10''	19''	--
To Peter Tondee messenger to the Commons house of Assembly a Salary from the 29th Septemr 1772 to the 29th September 1773 One year Twenty five pounds	25''	--''	--
Ditto for Extra Services from the great length of the present Sessions Ten pounds	10''	--''	--
Carried Over	£2248''	4''	1
Brought forward	£2248''	4''	1
To Adam Trick door keeper to the Commons house of Assembly a Salary for One year ending 29 Sept 1773 Twenty pounds	20''	--''	--

Ditto

Tax Act.

Ditto for Extra Services from the great Length of the present Sessions Ten pounds ----------	10'' --'' --
Ditto for fire and Candles Supplied the Commons house of Assembly this Session Two pounds -- ----------	2'' --'' --
To the door keeper of the upper house of Assembly for one year's Salary ending the 29th September 1773 Twenty pounds -- ----------	20'' --'' --
Ditto for Extra Services this Session Ten pounds -- ----------	10'' --'' --
To John Morel for 12 red bay Chairs for the use of the Commons house of Assembly pr Account 27th November 1769 Fifteen pounds ------	15'' --'' --
To Abigail Minis for providing provisions & Liquors for Committee both houses of Assembly appointed	

to

to view the light house on Tybee p^{r} Account Fifteen pounds three Shillings -- ----------	15''	3''	--
To Peter Tondee for ditto Ditto for Ditto p^{r} Account Twelve pounds twelve Shillings & Seven pence ----------	12''	12''	7
To Sir James Wright for so Much advanced the Cap^{n} of the Watch for levy money to 28 men at 5/ each Seven pounds -- ----------	7''	--	--
To the Treasurer for so much Interest paid Executors of William Simpson Esq^{r} deceased on the purchase money of a lot of Land bou^{t} of said Estate on the Bay Ten pounds four Shillings and two pence -- ----------	10''	4''	2
To the Treasurer for advance on a Bill of Exchange for One hundred pounds paid by him to Jonathan Bryan			

Esquire

Tax Act.

Esquire bo^{t} of him to remit the Agent Benjamin Franklin Esq^{re} Ten pounds -- ----------	10'' --'' --
To the Publick Comissary a salary from the 29th September 1770 to the 29th Septem^{r} 1773 three years at Twenty pounds p^{r} Annum Sixty pounds -- ----------	60'' --'' --
Ditto for a Pedestal to affix a dial on in the Square and putting up the same p^{r} Acco^{t} Twenty pounds & two pence -- ----------	20'' --'' 2
Ditto paid for removing Guns & Carriages from fort Halifax and Supplying Guard with wood and Candle p^{r} Account Two pounds Eight Shillings -------	2'' 8'' --
Carried forward --------	£2462'' 12'' --
Brought Over ----------	£2462'' 12'' --
To Thomas Moodie Deputy Secretary for Militia Commissions Proc-	

lamations

lamations, Commissions of the Peace Writs of Election &c from the 5th October 1769 to the 31st July 1773 pr his Accotts No 1. 2. 3 One hundred & Seventy nine pounds Seventeen Shills & Seven pence 1/2 penny	179" 17" 7 1/2
To Thomas Shruder Esquire Deputy Surveyor General for certifying Lots in Wrights borrough and Queensborough Township pr his accott from 4th April 1770 to 2d August 1773 Thirty Seven pounds Eleven Shillings and 2 1/2d -- ----------	37" 11" 2 1/2
To Thomas Lewis Deputy Surveyor for Surveying Two tracts of land say 700 Acres for John Cary and Alexr. Chesnutt Irish Settlers pr Account Two pounds Sixteen Shillings and three pence -- --------	2" 16" 3
To James Cantey Deputy	

Surveyor

Surveyor for Surveying Two Glebes in the parish of St Andrews 500 Acres each one of which for the Church of England and the Other for the Dissenting Congregation Ten pounds_	10" __" __
To James Whitefield Powder receiver for receiving and delivering 4173 1/4 lbs Gunpowder belonging to the Publick p^{r} his Account to the 7th June 1773 Two pounds one Shilling and nine pence __ ----------	2" 1" 9
To William Handley Deputy Auditor for Auditing Grants for the Wrightsborrough & Queensborrough Settlers from the 25th October 1770 to the 10th June 1772 p^{r} account N 1 Thirty Seven pounds two Shillings & Sixpence __ ----------	37" 2" 6
To Sir Patrick Houston Register of Grants for Abstracts of Grants delivered	

livered the Governor from the 29th Septemr 1770 to the 29th Sepr 1772 pr Account Twenty pounds ten Shillings and Eight pence ------	20''	10''	8
To James Edwd Powell Esqr Commanding officer of Fort George for his pay from the 8th Novemr 1770 to the 8th Febry 1773 two years & 3 months at Ten pounds pr month Two hundred & Seventy pounds -----	270''	--''	--
Ditto for pay of men in said Fort for the same time One hundred and forty four pounds ----	144''	--''	--
To Robert Bolton as Armourer from the 29th Septemr 1770 to the 29th Septemr 1773 Three years at Ten pounds pr Annum Thirty pounds-	30''	--''	--
Carried Over ----------	£3196''	12''	--
Brought forward -------	£3196''	12''	--
Ditto as Messenger to the Church Commission-			

ers

ers for the same time at five pounds p Annum fifteen pounds ----	15'' --'' --
Ditto paid by him to Peter Blyth Constable for Serving Summons's on the Defaulters for the Publick Tax in parish Christ Church p^{r} Account five pounds -----	5'' --'' --
To James Johnston Printer for Publishing the Minutes of the Commons house of Assembly Proclamations Presentments of the Grand Jury assize of Bread &^{c} from the 15th Novem^{r} 1769 to the 28th July 1773 p^{r} his Acco^{tt} N 1/4 One hundred and Eighty two pounds four Shillings & nine pence	182'' 4'' 9
To William Lyford Pilot for the Barr of Tybee a Bounty for Boarding at sea and bringing in Vessels over said Barr from the 18th May 1770 to the 29th Sept^{mr} 1773 to	

be

be in full for said service and all Other demands against the Publick to this time Three hundred and Sixty one pounds Ten Shill[s] ----	361'' 10'' --
To the Rev[d] M[r] Seymour Rector of the Parish of St Paul a Salary from the 29[th] Septem[r] 1771 to the 29[th] Septem[r] 1773 Two years at fifteen pounds p[r] Annum Thirty pounds -- ---------	30'' --'' --
To John Goodgame for bringing an Express from M[r] Galphin relative to Indian affairs 22 April 1772 four pounds	4'' --'' --
To Robert Bolton for Expresses sent by him *p* Order of the President on Indian and Other affairs four pounds fifteen Shillings --------	4'' 15'' --
To Samuel Thomas for attending two Indians from the lower Creek Country at their re-	

quest

quest on the business of the publick seventeen pounds Ten Shˡˢ ------	17''	10''	--
To the Publick Treasurer for reimbursing him part of the Monies he advanced towards Supporting a nightly watch in the Town of Savannah say one third of five hundred and Eighty pounds nineteen Shillings and nine pence being One hundred and Ninety three pounds thirteen shillings and three pence -- ------	193''	13''	3
Carried forward --------	£4009''	15''	--
Brought forward -------	£4009''	15''	--
To William Lyford for Lumber and hands to assist in repairing fort George pʳ Accᵗᵗ nine pounds five Shillings & three pence 1/4ᵈ ------	9''	5''	3 1/4
To James Edwᵈ Powell Esqʳᵉ paid Carpenters for repairing fort			

George

George p[r] Account— Two pounds One Shilling -- -- ----------	2''	1''	--
To Goldwire and McGillivray for building Guard house and finding Stuff p[r] Acco[tt] nineteen pounds three shillings & Sixpence ------	19''	3''	6
To Eppinger & Williams for fixing an Iron Barr in the Chimney and finding Barr p[r] Acco[tt] one pound three shillings & Seven pence half penny -- -- ----------	1''	3''	7 1/2
To the Commissioners of the Court house a Ballance due to them for work done by Several persons on said Building by their Orders and not provided for through mistake in a former house of Assembly as p[r] Acco[tts] produced by them One hundred and fifty pounds -- -- ---------	150''	--''	--
To Tondee & Dunlop for			

boxing

boxing Window frames of Court house p^{r} Agreement as p^{r} their Account Sixteen pounds fifteen Shillings ------	16'' 15'' --
To John Lyon blacksmith for making and putting up an Electrical road to the Court House p^{r} Account Three pounds Ten Shillings -- ------	3'' 10'' --
To Robert Bolton Commissioner of the Work house paid Workmen for Sundry repairs & materials for Workhouse p^{r} Account Eighteen pounds nineteen Shillings and Sixpence-	18'' 19'' 6
To John Howard of Parish of St Paul for Bounty on 11226^{lbs} of Flour @ 2/ p^{r} 100 lib Eleven pounds five Shill^{s} & Sixpence ------	11'' 5'' 6
To Jacob Dennis of ditto for 1078 lib ditto One pound one Shill & Seven pence -- -------	1'' 1'' 7

To

Tax Act.

To William Candler of ditto for 3216 lib at ditto three pounds four shillings and four pence	3''	4''	4
Ditto of ditto for 3968 @ ditto Three pounds nineteen Shillings & four pence farthing----	3''	19''	4 1/4
To Isaac Low of ditto for 1486 @ ditto One pound nine Shillings and Eight pence half penny	1''	9''	8 1/2
To Loveless Savage of ditto for 1580 @ ditto One pound Eleven Shillings & Seven pence---	1''	11''	7
Carried forward --------	£4253''	4''	11 1/2
Brought Over ----------	£4253''	4''	11 1/2
To the Estate of Leonard Clarborne Esq^{r} deceased of the Parish St Paul for 1286 @ ditto One pound five Shillings and Eight pence half penny ----------	1''	5''	8½
To John Walton Esq^{r} of ditto for 2983 @ ditto			

Two

Tax Act.

Two pounds nineteen shillings and Eight pence ----------	2" 19" 8
To Benjamin Youngblood of ditto for 1254 @ ditto One pound five Shillings and Three farthings -- -- ------	1" 5" 0 3/4
To Amos Whitehead of the parish of St George for 1472 @ ditto One pound nine Shillings & five pence farthing ----	1" 9" 5 1/4
To Cowper & Telfairs for Bounty on 4500 lib Hemp. raised in this Province by Mr William Telfair and Inspected by Andrew Elton Wells @ 10/ p 100 lib Twenty two pounds Ten Shillings -- -- ----------	22" 10" --
To Andrew Elton Wells Inspector of Tobacco for Inspecting 5094 lib Tobacco @ 6d *p* 100 lib pr Attested Account, One pound five Shillings and five pence --------	1" 5" 5

To

Tax Act.

To James Jackson & Co/ for Bounty on 1156 lib Hemp raised in this Province *p* Wells Certificate dated 26 April 1770 @ 10/ 100 lib five pounds fifteen Shillings & Sixpence ------	5''	15''	6
Ditto for assisting Evidences with horses to come from Augusta to Savannah in July 1768 Thirteen pounds nine Shillings and three pence -- ----------	13''	9''	3
Ditto Expences of a party Militia who went to the Oekeneys p^{r} Acc^{tt} attested 13 Feb^{ry} 1773 five pounds nineteen Shill^{s}--	5''	19''	--
Ditto for expences of a party of Militia who went after some horse thieves p^{r} Acco^{t} Twenty one pounds Eleven Shillings and Ten pence---	21''	11''	10
To Joseph Clay Esquire due him and Clay & Habersham for Sundries			

pr.

Tax Act.

p[r] Acco[tt] Three pounds Eleven Shill[s] and Sixpence half penny ------	3" 11" 6 1/2
To John Francis Williams Esq[r] for a mare he lost in the Service of the Publick p[r] Account five pounds -- --------	5" --" -- --
To Ann Fitch for hire of a horse impressed by Coll[n] Jackson for the use of the Publick Two pounds five Shillings--	2" 5" --
To Lewis Muliere for a Cow he supplyed a party of Militia that were Ordered to Satilla in Oct[r] 1767 Two pounds -- -- ---------	2" --" --
Carried Over ----------	£4343" 12" 4 1/2
Brought forward -------	£4343" 12" 4 1/2
To Quintin Pooler for Sundry Expences Incurred by a party Militia ordered out under his Command after fugitive Slaves p[r] Acco[tt]	

Four

Tax Act.		
Four pounds Ten Shillings -- -- ----------	4'' 10'' --	
To Arthur Carney for his Expences for self and others in the pursuit of some fugitive Slaves &c *p* account Twenty three pounds five Shillings--	23'' 5'' --	
To Lee and Weddall for Sundrys pr Accott to 13th February 1773 five pounds One Shilling & three pence -- --------	5'' 1'' 3	
To Reid Storr & Reid for Sundry pr Accott Seven pounds Ten Shillings--	7'' 10'' --	
To Gordon & Netherclift for ditto pr accott Attested 4th August 1773 Thirty three pounds fifteen Shillings -- -----	33'' 15'' --	
To William Young Esqr for drawing two setts Conveyances Renounciation of Dower for a lot the Bay of Savannah bought (by John Rae Esqr in Trust for the Publick in order to		

Tax Act.

Open a Street) of Executors of the Honble William Simpson Esq[r] — Sundry Attendances on Commissioners of the Town Ten pounds ten Shillings -- ------	10'' 10'' --
To Governor Ellis his Annuity three years ending the 1773 at fifty pounds p[r] Annum One hundred and fifty pounds ----------	150'' --'' --
To His Excellency Sir James Wright for pay of two men keeping a Guard at the Plantation of M[r] John Houstoun to prevent the spreading of the small Pox from said Plantation Eighteen pounds--	18'' --'' --
To Thomas Shruder Henry Yonge & Samuel Farley Esquires (to be applied for building a fence round the State House) and materials for the same forty pounds -- -- --------	40'' --'' --

To

Tax Act.

To ditto to be applied towards erecting a p[r] Stocks a Sum not exceeding Ten pounds___	10''	__''	__	
To Samuel Savery a Deputy Surveyor for a Ballance due him on his Account against the Publick for surveying The Indian line from William's Creek to S[t] Mary's River Thirty pounds __ __ --------	30''	__''	__	
Ditto for two horses he lost on said Survey on his proving the Costs of said horses and that he lost them on that Service (to be proved on Oath) Twenty two pounds Ten Shillings__	22''	10''	__	
	£4699''	3''	7	1/2
Brought forward __ ____	£4699''	3''	7	1/2
To William O Brien for hyre of negro Carpenters to assist in repairing Fort George p[r] Account Two pounds nine Shillings __ __ -------	2''	9''	__	

Collectors

Collectors Commissions on the above Sum Two hundred and Thirty five pounds One Shilling and Seven pence half penny -- --------	235'' 1'' 7 1/2
Treasurers Commissions on ditto Two hundred and Thirty five pounds One Shilling & Seven pence half penny -----	235'' 1'' 7 1/2
	£5171'' 15'' 10 1/2

AND BE IT FURTHER ENACTED that the fines and penalties by this Act inflicted, not herein disposed of Shall be to his Majesty and applied in Aid of the General Tax

By Order of the Commons house of Assembly

WILLIAM YOUNG Speaker

By Order of the upper house of Assembly

JAMES HABERSHAM President

Council Chamber
29th September 1773

Assented to

JA WRIGHT.

State

(State Archives.)

AN ORDINANCE

Appointing the Honorable Grey Elliott Esquire Agent to Sollicit the Affairs of this Province in Great Britain in case of the Absence of Benjamin Franklin Esquire from Great Britain

Title

Preamble

WHEREAS by an Ordinance passed this present Session Benjamin Franklin Esquire in Reappointed Agent to Sollicit the Affairs of this Province in Great Britain And Whereas the said Benjamin Franklin may be absent from Great Britain by which means any matters Relating to this Province that require to be Sollicited may be Retarded to the Great Injury of the same in Order to Obviate which We Pray your most Sacred Majesty that it may be Ordained And be it Ordained by his Excellency Sir James Wright Baronet Captain General and Governor in Chief in and Over his Majesty's Province of Georgia by and with the Advice and consent of his Majesty's Honourable Council and Commons House of Assembly in General Assembly met and by the Authority of the same, that Grey Elliott Esquire be and he is hereby declared Nominated and appointed Agent to Represent Sollicit and Transact the Affairs of this Province in Great Britain in case of the Absence of the said Benjamin Franklin Only

Ordained That Grey Elliott Esqr be Agent for this Province in Great Britain

in Case of the Absence of Benjamin Franklin Esqr

And

Agent in Great Britain.

that he shall follow the Instructions that shall be given him by the General Assembly or a Committee appointed

And be it further Ordained that the Said Grey Elliott shall and he is hereby Authorized and empowered to follow and pursue all such Instructions as shall from time to time be given to him or the said Benjamin Franklin during the Absence of the said Benjamin Franklin, only, by the General Assembly of this Province or by a Committee Appointed in and by the Said Ordinance Entitled An Ordinance for Reappointing Benjamin Franklin Esquire Agent to Sollicit the Affairs of this Province in Great Britain

powers of the Committee

And be it further Ordained that the said Committee shall in all Matters Relating to the Correspondence with the said Grey Elliott do and perform all such things and shall have the same Authority and Power as in and by the Second Clause in the said Ordinance are particularly Mentioned and Expressed Relating to Correspondence with the said Benjamin Franklin

That the said Grey Elliott be allowed £100 Stg yearly

And be it further Ordained that there shall be allowed and paid to the said Grey Elliott for his Agency the Sum of One Hundred pounds yearly or in proportion to the said sum for such time only as he shall Act as Agent for this Province during the Absence of the said Benjamin Franklin and not otherwise over and above his Reasonable Charges and disbursements on his Application to the Several Offices and Boards in Negociating the Affairs of this Province

And

Agent in Great Britain.

to continue one year.

AND BE IT FURTHER ORDAINED that the said Grey Elliott shall be and continue Agent for this Province during the Absence of the said Benjamin Franklin and not otherwise for one whole Year to Commence the first day of November next

By Order of the Commons House of Assembly

WILLIAM YOUNG Speaker

By Order of the Upper House of Assembly

JAMES HABERSHAM President

Council Chamber
29th September 1773

Assented to

JA. WRIGHT

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